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ARTES SCIENTIA VERITAS

L I F E
OF
ROBERT EMMETT,

THE CELEBRATED

IRISH PATRIOT AND MARTYR;

WITH HIS SPEECHES, &c.

A L S O,

AN APPENDIX,

CONTAINING

VALUABLE PORTIONS OF IRISH HISTORY.

BY JOHN W. BURKE.

SECOND EDITION.

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TO THE
Sons of the Emerald Isle,
THROUGHOUT THE UNION,
THIS BOOK IS RESPECTFULLY DEDICATED,
AS AN HUMBLE TOKEN OF
ESTEEM IN WHICH THEY ARE HELD BY
THE AUTHOR.

PREFACE.

From the earliest recollection of the compiler of this work, he has sought for a complete and satisfactory biography of ROBERT EMMETT; but up to the present time he has been unsuccessful. Feeling, in common with his countrymen, the need of such a book, he has been impelled to the task before him. It is not hoped that the deficiency will be supplied by the production of the following pages; yet the compiler entertains the belief that it will, in some degree, fill the desideratum, and be well received by Irishmen. He feels certain that they will gladly welcome it to the world of letters, for two reasons: *First*, from a strong love for the memory of the man. *Secondly*, that, while ponderous volumes of biography are afloat in the land, of men less distinguished, a life of EMMETT may be found that is in some degree worthy of the man.

The only recommendation which the compiler can offer with this volume, is that it is published from the strong impulses of an Irish heart; and with the sole design to commemorate a name dear to every native of the Green Isle.

The works consulted in the preparation of this work, were principally—"Life, Trial and Conversations of Robert Emmett, &c." a little volume published originally in Lon-

don, and re-printed in this country by R. Coddington, of New York; "Curran and his Contemporaries," by Charles Phillips, Esq.; and "Phillips' Speeches." In addition to these, he has derived much valuable information from newspapers and magazines, and from individuals who were contemporaries of Mr. EMMETT'S.

J. W. B.

Charleston, S. C.

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LIFE OF ROBERT EMMETT.

PART I.

Birth—Parentage—Thomas Addis Emmett—Early Education—In College—In France—His efforts for Liberty.

THE patriotic heart in every land thrills at the mention of a name which has become illustrious for self-sacrificing devotion to his country—a man who voluntarily laid down his life for the amelioration of the condition of his down-trodden countrymen. History furnishes few such instances of true patriotism as that of ROBERT EMMETT. It finds a parallel only in the life of Moses—who gave up all worldly prospects of honor for his oppressed fellows—choosing to suffer a season with them and endeavor to liberate them from bondage, rather than be exalted to Egypt's highest honors. Very similar was the patriotism of Emmett. From his superior mind and many accomplishments, there is no doubt but he could have attained great eminence among the men of his day; but he

sacrificed this hope, and even his life, for his oppressed and beloved country. What patriot, then, will not delight to do him honor, and go with us, while we recite a few passages in his eventful life?

✓ ROBERT EMMETT was born in the city of Dublin, during the year 1782.* His father, Dr. Emmett, was for many years state physician in Dublin. Thomas Addis Emmett, his brother, came to America, and was for several years a member of the New York bar, in which he practised with distinguished success. He had abandoned, before the rebellion of 1798, a respectable situation at the Irish bar, in order to project and carry into execution, the schemes of that day for an Irish republic, and was consequently, with Dr. McNain and several other patriots, deported to America. He had one other brother, Temple, of whom his father once asked: "Well, Temple, what would you do for your country? Addis would kill his sister for his country! Would you kill your brother? would you kill me?" Little, alas! did that unhappy father foresee the consequences of the lesson he was inculcating!

* We have been unable to learn the exact day of the year.—*Com.*

LIFE OF EMMETT.

and little did Mr. CURRAN dream, when he ridiculed "this morning draught" of the doctor's, how mournfully it was one day to affect himself.

Of this family, Temple the eldest, passed through the University with such success that it is said his examiners changed, in his case, the usual approbation of *valde bene* into the more laudable one of "*O, quam bene!*" His rise at the Irish bar was unexampled, and at the early age of thirty, with a reputation to which time could not have added, he was called away from the scenes of this life to the realities of the unknown world.

The second brother, THOMAS ADDIS, to whom we have before briefly alluded, was a man of great and comprehensive mind; of the warmest and sincerest affection for his friends; and of a firm and steady adherence to his principles; to which he sacrificed much, and would, if it had been necessary, have sacrificed his life. He was originally intended for a physician, and had actually graduated at Edinburgh, when the premature death of TEMPLE changed his course, and by the advice of his fellow student, Sir JAMES MACINTOSH, he relinquished medicine for the law. Had he confined him-

self to his profession, there could have been no doubt, from the eminence to which he soon attained, of his ultimately realizing every object of his ambition. As we before noticed, he became entangled so much with the politics of the day, that, with the consent of the Government, he was self-expatriated. It does not appear that he committed any indictable offence, but he was a member of the Executive Directory, and had so embarked his enthusiasm and his talents in the cause, that retract he could not, and to proceed was death. He left his native land for America, yet his memory was still fresh there. PETER BURROWES, his friend and correspondent, (in the teeth of an act of Parliament) used to revel in the recollection of him. The following anecdote, which he frequently repeated, and with great effect, vividly exhibits the intrepidity of the man. A malcontent had been convicted of taking the United Irishman's oath, which, as a curiosity, is here inserted :

"I, A B, in the presence of God, do pledge myself to my country, that I will use all my abilities and influence in the attainment of an adequate and impartial representation of the Irish nation in Parliament ; and as a means of

absolute and immediate necessity in the attainment of this chief good of Ireland, I will endeavor, as much as lies in my power, to forward a brotherhood of affection, an identity of interests, a communion of rights, and a union of power, among Irishmen of all religious persuasions, without which every reform in Parliament must be partial, not rational, inadequate to the wants, delusive to the wishes, and insufficient for the freedom and happiness of this country."

EMMETT, on motion for arrest of judgment, after exhausting his learning and ingenuity, astonished his hearers with this startling announcement: "And now, my lords, here, in the presence of the legal court, this crowded auditory—in the presence of the Being that witnesses and directs this judicial tribunal—even here, my lords, I, THOMAS ADDIS EMMETT, declare—*I take the oath!*" And while bar, bench, and auditory "held their breath," he kissed the book! All men seemed literally so stunned by this daring and hazardous experiment, that it passed unrepheended. However, that the offence was indictable, was placed beyond doubt, for the court sustained the judgment.

After an imprisonment of four years in Fort George, in violation of an express promise, the state prisoners, Mr. EMMETT among the rest, were released, and in 1804, at the age of 40, he landed in America. After some hesitation as to whether he would not pursue his original profession as a physician, he at length determined on the bar. His call, without a preliminary probation of three years, met the opposition of Chancellor KENT, then Chief Justice of the Supreme Court, who at length yielded to the entreaties of his brethren; and, by a suspension of its rules, he became an American barrister. From the family of the CLINTONS, the chief of which was then Governor of the State of New York, he received both advice and countenance, and at their suggestion he located himself in the city of New York. Still all was not fair weather. America, the Utopia of his republican idolatry, had its feuds and its parties. There were those in New York for whom EMMETT was too republican. Partly from an antipathy to his politics, and partly, it is to be feared, from professional jealousy, the Federalist party at the local bar, outraged all decency so far as to refuse to hold briefs with him! But he who had braved power in its

stronghold, was not the man to quail before such a confederacy as that. He confronted and crushed it, and reaped not merely the pecuniary rewards, but what of course he prized more, the honors of the profession. His enemies cowered before him—Chancellor KENT rejoiced in the recantation of his hostility, and the expatriated Irishman became Attorney General of the State of New York. It was, indeed, an enviable elevation, because attained by no unworthy art or servile compromise, but fairly earned by splendid talents, indefatigable industry, and stern independence. It requires some experience of the difficulties he overcame in a strange land, amid envious rivals, friendless and isolated, to estimate his merits. There are some interesting incidents recorded of the manner in which Mr. EMMETT met his enemies. Among these, one of the most formidable, and also the most eminent, was RUFUS KING. EMMETT, it will be observed, owed him an ancient grudge, and avenged it on the occasion of King's being a candidate for Governor of New York, in 1807. At a meeting of the Irish in that city, he bitterly assailed the Federal candidate, and was in turn as bitterly assailed by him, and by the press in his interest. Emmett

retorted, in a letter, his charges against King, one of which was his interference, as ambassador at the Court of St. James's to prevent the state prisoners from residing in America!—a cruel, and, from such a quarter, a scandalous interference. However, America, universal America, has long since, by a noble and generous hospitality vindicated her character from any participation in such a proceeding. “Your interference was then, sir,” writes Emmett, “made the pretext for detaining us four years in custody, by which very extensive and useful plans of settlement within these States were broken up. The misfortunes which you brought upon the objects of your persecution were incalculable. Almost all of us wasted four of the best years of our lives in prison. As to me, I should have brought along with me my father, and his family, including a brother, *whose name perhaps, even you will not read without emotions of sympathy and respect.* Others, nearly connected with me, would have become partners in my emigration. But all of them have been torn from me. I have been prevented from saving a brother—from receiving the dying blessings of a father, mother, and sister—and from soothing their last agonies by my cares;

and this, sir, by your unwarrantable and unfeeling interference."

Who, on reading this, can refuse a tear to the fate of ROBERT EMMETT? What virtues were not shorn of their effect—what talents were not robbed of their influence—by this monstrous interference of King! Had this not happened, instead of expiating his love of country on a scaffold, the subject of this memoir might have wreathed fresh laurels for his native land, and repaid with service, and requited with glory, the land of his adoption. It were vain to speculate on what might have been; but surely never was a dawn more splendid, overcast, or a fairer spring blighted in its promise.

MR. EMMETT thus proceeds in his letter to King: "Your friends, when they accuse me of want of moderation towards you, are wonderfully mistaken. They do not reflect, or know, that I have never spoken of you, without suppressing, as I now do, personal feelings that rise up within me, and swell my heart with indignation and resentment. The step you took was unauthorized by your own Government. Whether our conduct in Ireland was right or wrong, you have no justification for yours. The constitution and laws of this coun-

try gave you no power to require of the British Government that it should violate its faith, and withdraw from us its consent to the place we had fixed upon for our voluntary emigration; neither the President nor you were warranted to prevent our touching these shores. These remarks I address, with all becoming respect, to one whom *his press* describes as "the first man in the country." Yet, in fact, I do not clearly see in what consists your superiority over myself. It is true, you have been a resident Minister at the Court of St. James', and if what I have read in the public prints be true, and if you be apprised of my near relationship and family connection with the late Sir JOHN TEMPLE, you must acknowledge that your interference, as a Minister, against my being permitted to emigrate to America, is a very curious instance of the caprice of fortune. But let that pass. To what extent I ought to yield to you for talent and information, it is not for me to decide. In no other respect however, do I feel your excessive superiority. My private character and conduct are, I hope, as fair as yours; and even in those matters which I consider as trivial, but upon which aristocratic pride is accustomed to stamp a value, I should

not be inclined to shrink from competition. My birth, certainly, will not humble me by the comparison. My paternal fortune was probably much greater than yours; the consideration in which the name was held in my native country, was as great as yours was ever likely to be, before I had an opportunity of contributing to its celebrity. As to the amount of what private fortune I have been able to save from the wreck of calamity, it is unknown to you or your friends; but two things I will tell you—I never was indebted, either in the country from which I came, or in any other in which I have lived, to any man, further than the necessary credit for the current expenses of a family, and am not so circumstanced that I should “tremble for my subsistence” at the threatened displeasure of your friends. Circumstances which cannot be controlled, have decided that my name must be embodied in history. From the manner in which my political adversaries, and some of my cotemporary historians, unequivocally hostile to my principles, already speak of me, I have the consolation of reflecting that, when the falsehoods of the day are withered and rotten, I shall be respected and esteemed. You, sir, will probably be forgotten

when I shall be remembered with honor; or, if peradventure, your name should descend to posterity, you will be only known as the recorded instrument of part of my persecutions, sufferings and misfortunes."

Nor was this the only occasion on which he had to encounter the virulence of an ex-embassador. It really appears as if a residence in Europe, as Minister of State, and access to its courts, rather polished away a little of the roughness of republicanism. One is somewhat surprised to find the patriotism of the exile, his love of freedom, and the sacrifices he volunteered for it, cast upon him as reproaches by any *man* in America! Yet such, it would seem, were the weapons employed by Mr. PINCKNEY when opposed to EMMETT, in 1815, in the Supreme Court of the United States, at Washington. EMMETT's demeanor was such in noticing it, that shame extorted next day from his defeated adversary an eulogium, which he doubtless estimated at its true worth. "I am," said Mr. Emmett, "Mr. Pinckney's equal in birth, in rank, in connections: It is true, I am an Irishman. It is true that, in attempting to rescue an oppressed, brave, and generous-hearted people, I have been driven from the forum

in my own land. It is true that I came to America for refuge, and sought protection beneath her Constitution and laws. It is also true that my learned antagonist will never gather a fresh wreath of laurel, or add lustre to his well earned fame, by alluding to those facts in a tone of malignant triumph. I know not by what name arrogance and presumption may be called on this side of the water, but I am sure he never could have acquired those manners in the polite circles of Europe, which he has so long frequented as a public minister."

THOMAS ADDIS EMMETT pursued his prosperous career at the American bar, having changed envy into honor and respect, till the month of November, 1827, closed the toils and perils of his checkered life. He was employed all day in court in an important cause, and was busily taking notes for a reply, when, suddenly drooping, he leaned his head helplessly on the table. It was too clear. A fit of apoplexy had suddenly seized him, and the few last lines legible on his paper plainly manifested the tremor mid which they were written. He never rallied; and his loss seems to have cast a gloom over the whole community. The Common Council of the city of New York wore an em-

blem of mourning for thirty days; the highest functionaries of the law came to the following resolution: "The Judges now present most deeply deplore his death, and will unite with their associate Justices and other public functionaries, and with their fellow-citizens, in testifying their regard for the deceased, their admiration of his talents, and their approbation of his virtues."

His brethren of the bar erected a tablet to his memory, thus inscribed:

THOMÆ. ADDIS. EMMETT.

VIRO.

DOCTRINA. JURE. SCIENTIA. ELOQUENTIA.

PRESTANTISSIMO.

INTER. HÆC. SUBSELLIA. ET. OFFICII. MUNERA.

SUBITA. MORTE. CORREPTO.

SOCI. FORENSES. POSUERANT.

In addition to this, the citizens of New York erected a handsome marble monument to him, thirty feet in height, in the cemetery of St. Paul's Church, in Broadway, upon which was inscribed:—

IN MEMORY OF
THOMAS ADDIS EMMETT,

Who
Exemplified in his conduct,
And adorned by his
Integrity,
The policy and principles
Of the United Irishmen—
"To forward a brotherhood
Of affection,
A community of rights,
An identity of interests,
And a union of power
Among Irishmen
Of every religious persuasion,
As the only means of Ireland's
Chief good,
An impartial and adequate
Representation
In an Irish Parliament."
For this,
(Mysterious fate of virtue!)
Exiled from his native land.

In America, the land of freedom,
He found a second country,

LIFE OF EMMETT.

Which paid his love
By reverencing his genius.
Learned in our laws
And in the laws of Europe,
In the literature of our times
And in that of antiquity,
All knowledge
Seemed subject to his use.
An orator of the first order,
Clear, copious, fervid,
Alike powerful
To kindle the imagination,
Touch the affections,
And sway the reason and the will.

Simple in his tastes,
Unassuming in his manners,
Frank, generous, kind-hearted,
And honorable,
His private life was beautiful,
As his public course was
Brilliant.

Anxious to perpetuate
The name and example of such a man,
Alike illustrious by his
Genius, his virtues, and his fate ;
Consecrated to their affections

By his sacrifices, his perils,
And the deeper calamities
Of his kindred,
In a just and holy cause ;
His sympathizing countrymen
Erected this monument and
Cenotaph.

Born at Cork, 24th April, 1764,
He died in this city,
14th November, 1827.

Before closing this sketch, and resuming the main design of this work, we insert the following eloquent description by Mr. DUER, an eminent advocate, and one who was not among his intimate associates: "THOMAS ADDIS EMMETT, in head and in heart, and in no vulgar sense of the term, was a great man ; and as an orator, with the single exception of BURKE, unsurpassed by any that his country has produced. Superior in judgment, in taste, in the extent and variety of his learning, in persevering skill, in chastened fervor, in true pathos, the abilities of EMMETT were never displayed on their proper theatre. His large and philosophic views of society, government and law—his ample stores of knowledge—his unrivalled promptitude and invaria-

ble self-command—his elocution, flowing, copious, rapid, unlimited in the range, most fertile in the choice of his language—his brilliant imagination and ardent feelings, when most excited, accustomed to obey the suggestions of his reason—his powers of sarcasm and irony, rarely exerted, but when put forth, resistless; and above all, that imperitorial tone of voice (if the phrase be allowed) which his genius enabled him without affectation to assume, in a deliberative and popular assembly, would have combined to invest him with controlling sway.”*

“ROBERT EMMETT,” says one of his biographers, “was moulded in nature’s happiest form for his destined service. He possessed the physical qualities necessary for an accomplished speaker—with high intellect to master and employ knowledge—with imagination and feelings to sway the passions and command the heart—with the power of incessant labour to collect, discipline, and perfect the valued materials of a revolutionary measure—he was eminently calculated for the task which he had

* We are principally indebted, for the foregoing sketch of Mr. Thomas Addis Emmett, to a new work by CHARLES PHILLIPS, Esq., entitled “Curran and his Contemporaries.”

undertaken. And, had success depended upon the worth and the virtues of one man, Emmett would now have been hailed as the liberator of his country."

At a very early age, he was sent to school to the Rev. Mr. LEWES, who, though a minister of the Established Church, was yet an enemy to its monopolizing power and persecuting spirit towards his Catholic fellow-subjects. The impressions which Emmett received from this good man lasted him through life. His young mind was then filled with a detestation of tyranny and injustice.

When sixteen years of age, he entered Trinity College. Here his progress in classical and mathematical knowledge soon gained him honor and reputation. But his heated spirit had been worked up by the political enthusiasm in which he had been early initiated, and he began to show signs of the future course he was to pursue. At the Historical Society to which he belonged, he expressed his sentiments so freely on English influence in Ireland, that he came under the suspicions of Lord Chancellor Clare, who afterwards expelled him from College, for denouncing, in a speech he made, the

English form of Government, and advocating that of a republic.

He had already been so unguarded in his conduct, during the rebellion of 1798, as to become an object of the vigilance of the Government, and had found it best to leave Ireland while the *habeas corpus* act was suspended. He fled to the continent, where an active correspondence was set on foot by the French Government. Emmett, together with the leaders of the preceding Irish Rebellion were summoned to Paris. Consultations were held with them, and the organization of another revolution was commenced and prosecuted with increasing diligence. Napoleon Bonaparte, then Emperor of France, aided them by every means in his power. Emmett was made the director and mover of this new attempt to liberate Ireland from British dominion.

On the expiration of the suspension of the *habeas corpus* act, Emmett returned to Dublin, but thought it prudent, for the forwarding of the revolution, to live privately. He took private lodgings at Harold's Cross, under the assumed name of Hewitt. At this place his meetings with his confederates were held.

These people, of course, hailed with delight the opportunity of re-commencing another attempt at subverting British power in Ireland; and while some spread themselves over the country in every direction, others fixed themselves in the metropolis.

For about four months after his arrival, nothing of Emmett's plans transpired. Soon after the King's proclamation, on the 8th of March, conceiving the moment of national alarm at the renewal of hostilities and a threatened invasion, favorable to his projects, he became more active in his preparations. The whole of his family portion, which consisted of £2,500, he devoted to his enthusiasm. In the beginning of April, he quitted his lodgings at Harold's Cross, with the name of Hewitt, and in the new name of Ellis, he took the lease of a house, for which he paid sixty-one guineas, in Butterfield Lane, near Rathfarnham. Here he harangued his associates, and encouraged them by hopes of a happy result to their labors, which alas! were never realized.

"Liberty," said he, "is the child of oppression, and the birth of the offspring is the death of the parent; while tyranny, like the poetical desert bird, is consumed in flames ignited by

itself, and its whole existence is spent in providing the means of self-destruction. We have a complete exemplification of this in the past history and present state of Ireland, where increase of numbers and increase of intelligence have been the direct result of that system which too long has ruled this kingdom.

“The relentless oppression of the English Government forced the people into habits of temperance—necessity made them abstemious, and time reconciled them to their wholesome esculent, which providentially came like the manna of the desert, to feed the sojourners in the land of their fathers.

“When nature is easily satisfied, and the necessaries of life procured with little labor and care, increase of population will follow: because parents, who are contented with their own condition will feel no uneasiness for their offspring, who can, without any difficulty, procure a situation similar to their own. Emigration from such a country was not to be expected; for men whose moderate wants were amply satisfied at home, had no need to seek elsewhere for wealth they did not desire, or distinctions they did not value. Besides, Ireland has always had peculiar attractions in retaining

her children : a Scotchman loves a Scotchman, but an Hibernian loves the green fields of his youth, and to enjoy these there are few privations to which he will not cheerfully submit. The eccentric humor, the boisterous mirth, the kind and social intercourse, that characterize the peasantry, likewise spread their charms, and generally succeeded in subduing the aspiring notions of adventurers, and helped to retain the people at home. When to these were added the allurements of a more tender kind, and when no restraint was placed upon the natural instinct of man, we must not wonder that Ireland is blessed with a population without a parallel in Europe.

“The base and cowardly conduct of the Irish proprietors in deserting the country, though at the moment a grievance, was absolutely productive of good. Their large domains were parcelled out to humble cottages; farms were divided and subdivided; cabins every where raised their unostentatious roofs; and every floor was blessed with a numerous progeny.

“Ireland has been forced into agriculture;*

* AGRICULTURE.—‘The mother and nurse of a military population. Ireland has been forced into this. It was thought she had sunk under the arbitrary tyranny of British

and this still farther tends to increase the population, and to give her that political importance she never could have acquired if the people had been immured in mineral dungeons, or confined to the fetid vapours of a manufacturing Bastile. Rural labor is not more conducive to the health of the body, than it is beneficial to the exercise of the mind; and we always find the agriculturist superior to the mechanic, not only in physical strength, but in moral energy. The one is a natural soldier, who commands respect, and exacts consideration; while the other is a mere animated machine, whose ideas serve but as internal wheels to keep his hands in motion. His frame is distorted, his mind crippled, and his courage annihilated; but the agriculturist is a man such as nature intended—fearless, active and resolute; the air he breathes ensures him health; the ground he tills supplies him with sustenance; and his occupations make him moral,

monopoly. Let the proud Briton regale himself in the wholesome air of mines and workshops, and become ossified in the strengthening attitudes of monotonous labor; while the degraded Irishman draws health and number, and fierceness and force, and becomes too nimble to be caught by his crippled owner, who hobbles after and threatens with his crutch.'

hardy and brave. This is a copy of a million portraits, and they are all found in Ireland.

‘The aspirations of civilized man after freedom are coeval with his existence. His rights, like the mountain torrent, may be diverted from their original channel, but cannot be effectually impeded in their course. Dams may be raised to stop the coming stream; but, if the congregated waters cannot find another way to the place of their destination, they will burst through every opposition, and overwhelm in destruction all the works of lordly and presumptive man.’

‘But we find,’ observed a bystander, ‘that very populous countries have continued in slavery.’

‘Numbers,’ rejoined Emmett, ‘whose minds are more enslaved than their bodies, may submit to injustice; but numbers, inspired with intelligence, never can. The Irish people are not only shrewd, but informed; and for this good, as well as for every other blessing they possess, they are indebted to the folly and wickedness of their governors. *Divide et impera* has long been the maxim of those who oppressed us; but the result has been the reverse of their anticipations. The continued agitation, faction, and

discord, consequent upon such a system of legislation, produced their moral effects, and, like the vivid lightning, served to purify the element they disturbed. The political whirlpool has drawn within its vortex every man in Ireland; discussion has been universally provoked; and the passions have been enlisted in the general conflict. The human intellect has been propelled, vulgar errors corrected, and the spirit of enquiry and investigation has gone abroad.

‘To reason upon the political state of his country, has long been the propensity of the Irish peasant; and, from continually thinking upon that subject, he has at length learned to think right. He not only knows his degraded condition, but is well acquainted with the cause. There is not a subject connected with the country, on which he cannot give an accurate opinion; he knows, as well as any man in the Castle, the purpose of every measure of Government, whether it be to enrich a spendthrift nobleman by a job, or coerce the unfortunate peasantry by an Insurrection Act.

‘I know my countrymen: I have conversed with them, and have found them practical philosophers. Their sentiments are the pure em-

anations of acute minds, instructed in the school of nature, and taught by adversity. They are, in consequence, generally correct, and, without any great exertion of thought, are frequently profound. How often have I seen them smile at the abortive efforts of their friends, who endeavor to procure them redress in a constitutional way, while, at the same time, they have told me very pertinently, and very truly, that they expected no concession from Government, until they were able to insist on it!"

During this address, Emmett's fine manly countenance glowed with an enthusiastic ardour, and he delivered himself with as much animated fervency as if he were addressing a numerous but distracted assembly, which he wished to persuade. His words flowed with a graceful fluency, and he combined his arguments with all the ease of a man accustomed to abstract discussions.

His amiable and esteemed character gave an elevating influence to the fame of the society of which he was the leader—many of whom, though of equal talents and respectability, were inferior in that fine sensibility of heart, and constancy in friendship, which gained him the love and esteem of all who knew him. Nor

was it only for his bland-manners and fine sensibilities of heart, and constancy in friendship, and firmness in principle ; he ranked amongst the highest of its gifted sons, who display its fertile genius and its social spirit, who introduce the name of Ireland to the respect of the world.

Commensurate with his value to relatives and friends, and to his native city, was the appalling sensation that pervaded his country on the occasion of his lamented death. It is not, then, surprising that his removal in one unexpected moment from this busy life's vocations, to the oblivious silence of the tomb, should produce, as it did, a general burst of sorrow, and a common sense of bereavement.

PART II.

The United Irishmen—The causes which led to the Rebellion of '93—An evening with Emmett—Theobald Wolfe Tone—The Union—its consequences.

MORE than fifty summers have closed around the United Irishmen since they made Catholic emancipation and parliamentary reform the leading measures of their policy. They found all the Catholics of Ireland, the great majority of its population, reduced by the operation of the ferocious penal laws, to the condition of slaves, in all things except being vendable, to the very meanest of their Protestant countrymen. Not only did the British Government embrace every severity that could waste the vigor of the nation ; but all the rights of humanity, and every duty of life, were sacrificed by its direction or connivance ; provided only that this sacrifice would promote the self-interest, or gratify the rancor of the favored party.

Thus, there was a law of discovery, by which a man who betrayed the confidence of his friend, if he were Catholic, possessed himself of that friend's estate.

There was a law which disabled the Catho-

lic father to be a guardian to his own child, or to educate him.

There was a law which made the disobedience or apostacy of the Catholic child the means whereby to disinherit his father.

There was a law for robbing a Catholic of his horse on the highway, if when interrogated, he confessed his faith.

There was a law to prevent the education of Catholic children, and to punish Catholic teachers as convicts; to banish the Catholic clergy, and to hang them if they returned; to prevent Catholics from purchasing or inheriting landed estates; from having arms for their defence; to debar them from the profession of the law; to prevent them from holding any office of trust, honor or emolument; voting at elections, or sitting in Parliament.

The United Irishmen found their country under the government of such laws, and of many others, all conceived in the same spirit, and all elaborated with consummate skill to rob, harrass and insult a defenceless people. These statutes, without parallel for inhumanity, were framed against Christians, under pretence of securing the Protestant religion. They were enacted by the Irish Protestants, political

Protestants ; than whom no sect has cried more loudly against oppression and persecution, when the Protestants were martyrs. For all this, the Protestant religion is not persecuting in its nature. The crimes of the dominant party are not justly chargeable upon the Protestant religion, though committed in its name. They were bitterly deplored by the United Irishmen of all religions, and by none more than the subject of this memoir, himself a member of the established Church, but no abetter of its injustice.

Through all this long persecution, the conduct of England wore a vizard of hypocrisy. It was not the conversion of the Irish it desired, but their spoliation, division and subjection. If united in religion, they might unite for their wordly interest, and a means of weakening them by dissension would be lost. The English mission never had the merit of being honestly fanatical ; it was cold-blooded and crafty. Its conduct was not feebly palliated by the mistaken sincerity of blind zeal which time might soften and philosophy assuage. It had the more terrestrial motives of insatiable rapacity, the appetite for plunder, and the desire of fattening on the green pastures of Ireland.

This is the eating canker which neither time nor reason ever cures, and which is now as devouring, where it has the power, as at its first inception.

After the laws had disfranchised four-fifths of the population, all the emoluments of office, all the wealth of the richest church in the world, all the distinctions of power, all the pomp, circumstance and advantages of dominion, fell into the lap of the favored few. These men never wished to lessen the pretexts of their gains; they never sought the conversion of their helots by any means that ever made proselytes to any cause.

The domestic spoliation of the Catholics was the share of the Irish Protestants in this wholesale robbery. The spoliation of the Irish nation was the part of England in this boundless plunder: she took the whole trade, prosperity and independence of Ireland, which the Irish Protestants (shame on them) freely surrendered for the license to pillage and tyrannize at home. These wrongs inflicted and endured, begat mutual hatred and frequent collision, and will account for the little union among Irishmen, and the ferocity of character to be found

in those districts where the adverse parties came oftenest into contact.

This barter of a nation's rights for the lucre of a faction, is what was called the Protestant ascendancy in church and state. It was also called the British constitution. Against that impious combination of treachery within, and tyranny from without, the United Irishmen pointed their oath of union, which we have given in another place. It was this oath that was prosecuted as a felony, and for which frequent victims were sent to the scaffold.

Emmett did not live to behold the triumph of the Catholic cause, that happy accomplishment of one of the greatest measures to which he devoted fortune and life. But he saw, or thought he saw, all the materials for a successful struggle for freedom, in the internal resources of his beloved Ireland. In his moments of social ease and retirement, he delighted to enumerate those resources. A writer who seemed to know him well, gives the following conversation between Emmett and his friends, while he was maturing his measures for the coming contest :

"I have seldom spent a happier hour in my life, than I did that evening with Emmett.

His manners, his eloquence, and the sincerity, as well as kindness, which breathed through every thing he said, banished reserve on my part, and we all conversed more like long-tried friends than casual acquaintances. We talked of literature, of London, and of politics. My sentiments regarding Liberty—the goddess he idolized—were warm; and, as I spoke with becoming abhorrence of tyranny, he seemed delighted with my opinions. Before we separated he made me promise to call on him that night at his lodgings; and when I did so, about eight o'clock, I was agreeably surprised to find the Exile there before me. After supper the conversation took a political turn, and Emmett, whose mind was then filled with the project of liberating his country, began to expatiate on the ease with which Ireland could throw off the English yoke, and the benefits that would ensue from such a measure.

‘Your enthusiasm, my friend,’ said I, interrupting him, ‘carries you beyond the bounds of probability; for, in anticipating a revolution in this country, you forget that England calculates on the subjection of Ireland, and that she is able to compel what it is her interest to desire.’”

'That she desires it,' he replied, 'I have no doubt; but that she is able to compel it, I unhesitatingly deny. The belief in England's superior strength has too long prevailed in this kingdom, but it is now, happily, beginning to disappear. In comparing the two countries, we must exclude from our calculation every thing but physical strength alone, and then the balance will be entirely in favor of Ireland; for I believe it will be readily admitted that she has the greater military population; and in a struggle for liberty, men only are valuable.'

'It is a matter of arithmetical calculation. Ireland can, in the event of a well-organized revolution, turn into the field between seven and eight hundred thousand effective men—an army certainly more numerous than any force England could send against her.'

'Admitting your calculation to be correct,' I returned, 'you are not to deny the superiority of disciplined troops over rebel numbers. An army of fifty thousand men would soon rout your invincible phalanx.'

'The time has passed, my dear sir,' he rejoined, 'when such an exploded notion found credence among mankind. In a barbarous age, when two armies drew up within gun-

shot of each other, each serving as an immovable target for its opponent to fire at, such a belief was natural, because he who possessed a musket had a fearful advantage over the man who had not one. But modern times have a different and more natural mode of warfare; personal prowess now, as in periods of antiquity, is likely to be victorious; and all necessary discipline can be learned in a very few days. A man does not necessarily acquire either superior courage or address from the color of his coat, and a soldier with a fixed bayonet has no advantage over a fierce peasant with a well-tempered pike. Almost every victory of modern times has been gained by coming to close action, and that mode, to which a well-regulated army is indebted for success, is as available to a determined band of freemen as to any hired troops in Europe.

‘But, as different animals have different modes of attack and defence, an insurgent army has a discipline of its own, recommended by reason, and sanctioned by experience. With walled towns and close garrisons they have nothing to do: the hills of their country serve them as places of retreat; marshes, rivers, and lakes are their best bastions, while defiles af-

ford them opportunities of attack, and woods and valleys serve them as places of ambush.

‘The face of nature solicits the oppressed to regain their freedom; and certainly, no country on the globe has so many invitations to revolt as our own. Scarcely a mile, from one extremity of the island to the other, in which an hostile army could not be successfully harassed, and, if needful, successfully opposed. To this may be added, that an Irish insurgent army would materially differ from a similar one in any kingdom of Europe; for nearly every peasant, and certainly every man above the rank of a peasant, is intimately acquainted with the use of fire-arms. Those near the sea-shore (and those are a large portion) are excellent marksmen; while the inhabitants of mountains, and the neighborhoods of bogs, lakes and marshes, are expert fowlers. The Wexford insurgents, in the late rebellion, gave a proof of their abilities, and showed that the peasantry of Ireland, when aroused, are nothing inferior to the best disciplined troops in Europe.’

‘I know it,’ interrupted the Exile, ‘for I witnessed their skill in bringing down an enemy, and I must confess that, had they leaders

of experience, they were nothing inferior, man for man, to any force that might be brought against them.

‘There is always a deficiency,’ said I, ‘in some part, that renders every effort of the remainder abortive. Out of a hundred revolts, scarcely one has been successful.’

‘Pardon me,’ said Emmett, ‘if I set you right; for history furnishes us with few instances of failure where a nation has been unanimous. It is giving the enemies of man a new weight, to add to the burden of oppression, by dignifying pigmy insurrections and partial rebellions with the name of open revolt. They should rather be called sanguinary riots, and thus reduced to their proper level: their ghosts might not be summoned from oblivious neglect to scare mankind from an assertion of their rights. Instances of national resuscitation are neither few nor unfrequent. Tyranny was expelled from Rome by the rebellion of the people; and Switzerland and the Netherlands are memorials of successful revolts. In our own day, America has shown us what a few thousand peasants could accomplish when actuated by a love of liberty. Ireland is superior in numbers to any of these, equals them in

address and courage, and stimulated by wrongs greater than have been experienced by all these together.

‘Soldiers are but men, and generally the most imbecile of men. Let the people be taught to despise the glare and glitter of polished arms, and the terror they are wont to inspire will be converted into objects of ridicule and contempt. Happily an opinion prevails in Ireland, that a soldier is an inferior mortal, and that three hundred athletic peasants would be equal to a regiment of a thousand men. I don’t say that this opinion is correct, but it must be admitted that, in case of a rising, it would be of infinite service, as tending to inspire confidence in the insurgents, and contempt for their enemies—two things that materially conduce to victory.

‘Leaders, in a harassing war, would be easily procured, for the sagacity of an unlettered peasant might serve for the purpose. Who does not remember the servant boy at Oulard, whose advice was followed by the destruction of a whole regiment? Great occasions produce great men, and generals are formed in the study as well as in the camp. The Catholics are not what they formerly were—intelligence is diffused, thousands of them are in the

British army, and every man of these would desert on the first opportunity, for the *amor patriæ* is not extinguished by the imposition of the military oath.'

Down to the period of 1782, English Acts of Parliament were suffered to bind Ireland. Misgovernment and poverty, the neglect of agriculture, the prohibition of commerce, the abandonment of manufactures, were, during that period, the portion of Ireland. But towards the end of the American war, the volunteers emancipated their countrymen from this bondage, and gave it the means of being independent. The example of America was before both parties with all the omens; hence the demands of the volunteers were prudentially conceded, and the glorious revolution of 1782 was accomplished without the loss of a drop of blood. The happy consequence was the immediate liberation of the commerce of Ireland from English restrictions. Her ensuing prosperity seemed miraculous—so prompt, so general, so enriching; and her aptitude to prosper by free trade became known at the same time, to her rival and herself.

But the volunteers could not be always in arms, and Ireland had no representative assem-

bly to foster her prosperity during peace. Hers was, alas! a borough-parliament, composed solely of the dominant faction, representing but a small portion of the inhabitants, and having few feelings or wishes in unison with the mass of the people.

Every one soon perceived that all measures of relief would be insecure, nay, illusory, unless preceded or accompanied by a reform in the parliament. The volunteers saw it, and endeavored to reform; but they excluded the Catholics from their plan, and did not see (unhappy effects of the ignorance of the time!) that this alone would defeat their aim; that they could not erect an edifice of freedom on a foundation of monopoly. Warned by these errors, the United Irishmen altered the system of reform fundamentally. They extended their base, and established their plan upon three simple principles, necessarily dependent upon each other, and containing the disease, the remedy, and the mode of its attainment. The excess of English influence, a reform in parliament the remedy, and the inclusion of the Catholics the mode of its attainment.

THEOBALD WOLFE TONE,* a very distinguished politician of that day, had, of all others, the greatest part in effecting this change of sentiment among the Protestants, to whose communion he belonged. He wrote the original declaration for the Society of United Irishmen of Belfast, and his powerful writings brought the Presbyterians of the North very generally into the system.

Emmett often heard him in strains of pure and forcible eloquence expand, inculcate and apply, for the benefit of his beloved country, the political principles of the United Irishmen.

Wherever men have no means of legitimate redress, we have seen them become their own avengers, the worst government being always marked by the greatest commotion. If there be not an impartial administration of justice, the stiletto takes the place of the jury, and for want of a government restricted and accounta-

* We have embodied in the Appendix to this work, a sketch of the life, trial and condemnation of this distinguished Irish patriot, taken from Mr. Phillips' new work—"Curran and his Contemporaries." We should have been pleased to have introduced it into the body of the work, but could not do so without too great a digression. It will be found very interesting, and it is hoped that it will not be treated, as matters in an Appendix usually are.—Com.

ble, in Ireland, insurrection and civil war were the only resources of an exasperated people. Left without the protection of a national parliament, Ireland was always tyrannically ruled, the frame of society dislocated and broken, and her numerous insurrections were the throes of agonized nature.

But from the moment the Protestant reformers recognized the principle that no reform was practicable, efficacious, or just, which should not equally include Irishmen of every religious persuasion, the measure was feasible. It received the assent of the whole nation, save only the Established Church, and the other dependants of the British government. Its principle recommended itself to the common sense of mankind; and the authority of mankind proclaimed its benefits. In a short time its way was so prepared by public opinion, that even its interested opponents anticipated its final success. They determined, therefore, upon the desperate expedient of leaving no parliament in Ireland for a reform to better. They hastened to buy from the borough-holders that which a truly Irish parliament would not sell—its own existence. They hoped to extinguish, in the abolition of the parliament, every chance of

perceable and constitutional improvement.— They conspired to transport it for life, mutilated and captive, into the British House; to imprison beyond the seas in the abyss of English supremacy, where its languishing, nerveless remains, doomed to live in a perpetual minority, could never more bring to its ill-fated country the blessings of liberty, good government or commerce.

“ By the measures of a legislative union, Ireland reverts again to the same wretched state as when bound by acts of the British parliament. On the misery of that state, the ablest men who ever advocated her cause, even other than United Irishmen, have exhausted eloquence and invective, and the brightest page in her history is the one which records the extorted renunciation of that usurped power and plenary right of self-government. The pitiful representation of Ireland in a foreign land can but little avail her for her own benefit. She is there in a minority of one to six. The six give the law to the one, and with that one they have nothing in common. They have other constituents, who are a different people, who have clashing interests, who have national antipathies, and who may well feel contempt for the

substitutes of that parliament that traitorously sold its country. Such are the legislators who have bound Ireland in fetters.

“The consequences are the same as heretofore : discontent and remonstrance, and a proclamation to all Europe, showing how easy it would be to dismember the United Kingdom. No loyalty will reconcile rational beings to preserve an evil which they can exchange for a good ; so that those who make Ireland poor and enslaved, set before her, above all other men, the advantages of separation. What can create a desire for this remedy but ill-treatment ? and so long as this treatment lasts, how shall that desire discontinue ? They stand in the relation of cause and effect, and will for ever go on, or cease together.

“It was the opinion of Emmett, that the legislative union was a measure more suited to facilitate the despotism of the ministry than to strengthen the dominion of England. Since the abuse of power has always followed excess, no less in nations than individuals, a restraint upon human actions is salutary for all parties, and the impediment that shall stop the career of ministerial tyranny, will be found to work best for the stability of the connexion. If this

operate to the good of Ireland, she will observe it for its utility, an Irish parliament being then its best preservative. If, on the contrary, it be made, as at present, to sacrifice the many for the few, it will be viewed as a curse by the Irish people—an evil that must be got rid of, rather than a good to be embraced and cherished.

“At present we see those persons who deny a parliament to Ireland on which to rest her peace and happiness, self-poised and self-protected; we see them sedulous to change the state of the question, and to represent the repeal of the legislative union as a schism in the government. They would limit the people of Ireland entirely to England for benefits—whence, then, have come their wrongs? An Irish parliament, on the contrary, would be a bond of liberal connexion; it would settle every question of domestic policy at home, prevent strife and recrimination between both countries, secure to the affairs of Ireland, a degree of attention which however necessary, they do not and cannot obtain among the weighty concerns of a different people in a foreign legislature. It would remove the old opprobrious evil of legislation without representation; for wherever

this is partial and foreign, it is inadequate : as relates to Ireland, it is worthless mockery. Why was a borough-constituency vicious, but because it sent men to make laws for the people who did not represent the people, who were returned by a different body, and intent upon serving themselves and their employers.

The attributes of genius are not rare among the countrymen of Emmett, and time is constantly developing the resources of mind. The labors of intellect press onward for distinction, while names of high endowments are forced back to make room for new reputation. They alone will be remembered who have acted with an impulsive power on the destinies of their country and kind. Among those who first taught how to overthrow the misrule of Ireland, who exposed its cause and prepared its cure, Emmett is distinguished. He had great influence in the adoption of those measures which are still at issue between Ireland and her foes, and which, in part obtained, in part withheld, are determinative of her future happiness, as they shall finally fall or be signally successful.

PART III.

Preparations for an outbreak—Devotion of the Patriots—
Cruelties of the day—Explosion of a Depot—The day of
attack approaches.

THE different depots of Dublin, which Emmett hired for his purposed outbreak, were, at his sole expense, furnished with military pikes and handles, ammunition and clothing. In one of these depots gunpowder was manufactured; in another, timber was prepared for constructing pikes; and in others, pikes, fire-arms and stores were deposited.

It must be observed of the numerous persons connected with those depots, that neither the certainty of an ample reward, nor the wavering instability common to men engaged in dangerous designs, could draw the discovery from the impenetrable recesses of their fidelity: an evident proof that the hearts of the people were with the project; or, perhaps it was that the departments of the police of Dublin, were all filled by men who had been deeply engaged in the cruelties of the preceding rebellion, and who, being on that account stigmatized and detested by the people, even those who were

secretly inclined to give information, were not willing to unbosom themselves to men whom they regarded with so much horror.

We cannot resist the temptation to insert the following narrative, as illustrative of the cruelties and abominations committed daily, and with impunity, upon the unfortunate people of that dreadful period. It is from the pen of a writer, who will not fail to interest, as he was an eye-witness to these revolting scenes :

“After walking about a mile, we came to a neat thatched cabin, situated in a very sequestered valley. A river ran before it, and a few aged trees shaded the simple roof. The door was open, and on our entrance, a peasant rose to receive us. He smiled as he handed me a chair, and looked inquisitively at my companion.

“‘Don’t you recollect Mr. J——?’ inquired the exile. This interrogation was followed by a momentary pause, during which Howlan seemed lost in reflection, after which he burst into an exclamation of surprise and pleasure.

“‘Oh ! blud-an-ounze !’ he repeated several times, ‘is this yourself—your own four bones whole and sound after all ? Well, well, I knew, I knew I should see you again, though I was

certain you were dead ; and many is the *pater-and-avi* I said for your soul, though I believe you are a Protestant. But where's the harm in that ? did you not fight like any Roman for ould Ireland ? and what more could a real true-born Catholic do ? Troth, some of them didn't do as much, the *spalpeens*, or we would'nt have now to begin again.'

" 'So, so, Howlan,' said the Exile, 'you haven't yet learned to be loyal ?'

" 'Loyal !' repeated the hero of Oulard, 'no, in troth, for it is not in my grain ; and faith, I believe if I was paid for it, these stripes on my back would not let me. Oh, no, the crows will get white feathers before Denis Howlan will forgive the Orangemen—bad luck to them.'

" 'I recollect,' returned the Exile, 'a part of your story, but the apprehensions I was under when I first heard it, prevented me from attending to the whole. Was not your father murdered ?'

" 'Murdherd !' repeated Howlan ; 'ay murdherd over and over again ; and wasn't I murdherd myself ? But,' he continued, 'I'll just tell it all here to you both.' Then drawing his stool close to where we sat, he proceeded :

" 'My father, (Lord be merciful to his sowl

in glory!) kept a snug little farm on the right-hand side of the road that goes from Gorey to Ferns; and, though I say it, there was not a more *sasty* man in the county of Wexford. I, myself, was the youngest of three sons and two daughters, and the devil a more genteeler family attended Mass of a Sunday than Paddy Howlan's. My two brothers were able, strapping fellows, and faith, there were worse boys in the parish than myself. You may be sure we were real *Crappies*, and why but we should for our religion and country?

"The winter before the Rebellion, the Yeos* were out every night, and dreadful work they made of it—burning, whipping and shooting. A poor Catholic couldn't live at all, at all; and, as we expected that they would give us a call, we hid our pikes and guns in the ditches, and, to be sure, appeared as innocent as lambs. I shall never forget the 15th of November; no, never, while there is a drop of Irish blood in my soul; for, when I think of it, my brain boils, and my very flesh creeps, as if there was a blister all over me. Well, as I was saying, on the 15th of November I was coming home

*A contemptuous name for yeomen.

from Enniscorthy market, and being after taking a glass of the *creature* with one friend or another, I was pretty merry, and to make the road light, I was singing ‘*The Victim of Tyranny*,’ and the ould mare a-self was so pleased with the tune, that she kept the track as straight as a die, though the night was as dark as pitch.

“Just as I came to the top of the *bougha-reen*, that led down to our house, a fellow seized my beast by the halter, and while you’d be looking round you, a score of bayonets was ready to pop into poor Dennis. “Hallo!” said I, “what’s this?” “You Popish rebel,” cried the officer, for it was a party of the North Cork, “what song is that you were singing?”

“Och, nothing at all,” said I, “only new words to an ould tune.”

“Ah! then by —,” said he, you shall soon sing another tune, unless you tell us of all the people you know to be United Irishmen.”

“Faith, and that’s what I can soon do,” says I, “for I know nobody.” The word wasn’t well out of my mouth, when he ran his sword into my arm, saying, “That’s a tickler to help your memory.” “Thank your honor,” says I, “but as ye are not Yeos, I hope you will act

decent, and let a poor boy pass. My name is Howlan, and never did any man an injury."

"Howlan!" cried the officer, "You are the very man we want. Have you not two brothers?" "Ay, and a father too," I answered quite calmly, though I was in a terrible pickle, with the blood streaming down my arm.

"I was then bid to drive down to my father's house, and they all kept quite close to me. The family were all in bed, and I, foolish enough, called up my poor father, then seventy years of age, and my two brothers. They came out into the lawn in their shirts, for they were so frightened they forgot to put on their clothes, and if they hadn't, they could not, for want of time.

"My father said he had no arms; and when he protested, which was the truth, that he was no United man, the sergeant knocked him down with a pistol, and some of the soldiers began kicking of him while he lay on the ground. My brothers, of course, (for what Christian would turn informer?) refused to confess any thing, and accordingly the eldest was taken and tied to a car, and a drummer-boy proceeded to flog him at a desperate rate, while one of the

party, to give him light, set fire to the barn. As the flames mounted up to the skies, I could see my brother's back, hackled like a raw griskin, while the poor fellow refused to gratify his murderers with a single groan. My mother rushed out, and falling on her knees, beseeching the villains to forbear, but one of the soldiers gave her a kick in the stomach, and stretched her on the pavement.

"Knowing how soldiers then treated young girls, I made signs to my sisters, who had come to the door, to shut it, and remain inside. They did so, before the soldiers could prevent them; and one of them having seen what I had done, told the others, and in a minute there were a dozen stabs in my body. My eldest brother was then released, and the other tied up in his place, when my father, who had recovered, rushed forward and seized the drummer's arm. Poor man! the savages had no pity on his tears, and he received several stabs!"

"Here Denis was overpowered by his feelings, and after hastily wiping away one or two natural drops from his cheek, continued :

"I was now questioned about United men, and arms, and as I also refused to make any discovery, they took and bound my hands be-

hind me, and then, taking the halter from the mare's head, they placed it around my neck, and raising the car up, hung me out of the backband. They were too cruel to let me die a natural death, and so cut me down a few minutes afore I went to Paradise. I can't tell anything about that time, but my ould mother told me that my face was as black as a pot, and my tongue a *bundle* long. The first thing I recollect, after being hanged, was to see the poor ould house in flames, the soldiers having set fire to it, to get my sisters out, but they were disappointed, as the girls had made their escape while they were hanging me.

“ ‘To make a long story short,’ continued Denis, ‘my father, myself, and two brothers were thrown into the cart, and marched off to Fern. Next day my father died in the guard house; and after a week's confinement, my brothers and I were turned out with pitched caps upon our heads.* We had now no house,

*It is said that the North Cork Regiment were the inventors—but they certainly were the introducers of pitch-cap torture into the county of Wexford. Any person having their hair cut short, (and therefore called a Crop-py, by which appellation the soldiery designated a United Irishman,) on being pointed out by some loyal neighbor, was immediately seized and brought into a guard house, where caps, either of coarse linen or strong brown paper, besmeared inside with pitch, were kept always

no home, for my father's life being the term of the lease, the landlord had seized on our little all, and so we went to service, as did my sisters, my mother having died in a month after my father. My brothers were long before they recovered; and for myself, I'll feel the effects of that bloody night to the day of my death.

"The tale of this untutored peasant, told in his own vulgar, but expressive language, produced a painful interest on my feelings, while it excited my indignation to that degree of frenzy, which made me instantly determine upon the Quixotic resolution of finding out the officer under whose command the family of Howlan had been tortured, and call him to an account, or at least expose him to the world. Filled with this extravagant notion, I inquired of Dennis, as we walked along, where the North Cork were now stationed.

"'Lord bless your honor,' replied Dennis, 'there's not a man of them in the land o' the living, for I was at the killing of them all my-

ready for service. The unfortunate victim had one of these, well heated, compressed on his head: and when judged of a proper degree of coolness, so that it could not easily be pulled off, the sufferer was turned out amidst the horrid acclamations of the merciless torturers, and to the view of vast numbers of people, who generally crowded to the guard-house door, attracted by the afflicting cries of the tormented.

self—and quick work we made of it—on Oulard Hill.’

“Oh, I remember,” said I, “Mr. J—— spoke of your generalship there. How was that?”

“‘Why,’ replied Dennis, ‘when I went to sarvice, my master lived in the very parish with Father Murphy, who, God bless him, coming one day through Ferns, saw the Yecs shooting poor Catholics like dogs, trying how many of them a musket-ball would go through at once so in the evening he called his congregation together in the chapel. It was as dark as *bags* and not a candle lightning to show us the way to say our prayers. We were all silent as death, and you could hear a pin drop on the floor while the priest was speaking. He tould us ’twas better to die fighting for our religion and country, than to be butchered like sheep by the Orangemen. He said what was Gospel, and faith we took his advice, and marched in fine order after him, and he in the middle of us, to Oulard Hill, where we encamped for the night. The Yeos fled like murder at the sight of us, for they are the greatest cowards in the world, and sent the sogers to frighten us; but faith, thoir day was passed, and once we burnt the candle, we’d burn the inch. When the

red coats appeared, our faces were all manner of colors, and many proposed to run away. 'No, no,' says I, 'the priest and God are with us, and what have we to fear? Here is a ditch and gravel hole, and lie in them till the sogers come quite close, and when I cry out *Erin go bragh*, let every man start up and use his pike. My advice was taken, and Father Murphy blessed us all. The sogers come up, sure enough, with a fellow like a turkey cock strutting before them on his horse, and when they came quite near the ditch, he went behind them, and we could hear the words, "Ready, present, fire!" Pop, pop, pop, went their muskets; but faith, I shouted out like a lion, *Erin go bragh*,* and it would do your heart good to see what sport we had. They weren't a breakfast for us, and I had the pleasure, thank God, of sticking my pike into the rascally lieutenant who murdered myself and my father.' "

The Government had, by the month of June, discovered enough to quicken its diligence, and the officers of the police appeared thenceforward more alert and vigilant; notwithstanding

*Hay's History of the Insurrection in Wexford.

ing which, it was difficult to bring them to believe that the project of insurrection was on foot. This state of delusion continued until the fourteenth of July, the anniversary of the French Revolution, which opened the eyes of many, and excited a considerable degree of alarm. Bonfires were publicly made in commemoration of that event, and collections of people, apparently strenuous and decided, formed and partook in the festivity.

On the sixteenth, the depot of powder on Patrick street blew up, in which there were two men nearly suffocated, one of whom, in throwing up the window, cut the artery of his arm, and bled to death; the other was taken prisoner. Emmett was so alarmed at the discoveries this explosion would lead to, that he quitted the house in Butterfield-Lane, and took up his permanent residence at the depot in Hass-lane. He here had a mattress to sleep on, that he might be present, night and day, to direct and animate the workmen.

The interval of the seven days ensuing after the explosion, was employed by Emmett and his associates, either in deliberating on the propriety of immediately flying to arms, or in

concerting the most practicable mode of commencing their operations. It was ultimately agreed upon to seize the several depots and arsenals in the vicinity of Dublin; and above all, it was universally determined to gain possession of the Castle, as, in that case, it was supposed they could more decidedly influence the public mind by having the seat of government in their power.

As the day of attack approached, the greater part of Emmett's adherents, contemplating their danger, wished to defer the attempt. Emmett, however, was peremptory in the opposite way of thinking. He represented, with an impetuosity not to be resisted, that the militia was about to be embodied; that the country would be placed every day in a more unassailable posture, and by its multiplied measures of defence, become impregnable.

The reader will not be displeased, probably, with the following extract from the pen of the same writer, whom we have so often quoted, as illustrative of the kind, generous and unsuspecting character of Emmett, even under the most difficult and trying circumstances:

"I learned from Dennis, that the conspirators met in a valley not far from where we

were, and that he was hastening to join them ; I signified my readiness to attend him ; and, as Dennis was not a man of ceremony, he did not stand long upon punctilios, but immediately conducted me across a heathy and desolate hill, towards the place of rendezvous.

“ The night had closed around us as we approached a mountain chasm; and, after scrambling through a rude aperture in a stupendous rock, we found ourselves in a kind of natural recess, formed by an amphitheatre of surrounding hills, whose overhanging acclivities frowned in gloomy horror upon the little valley. By the light of the stars we could discern some persons who had entered before us, proceeding towards the opposite side, and we accordingly followed in their footsteps. We had not proceeded far when the voice of a person speaking fell upon our ears, and I had not to listen long before I recognized the deep but harmonious accents of my friend Emmett, as he addressed the people around him, who appeared to be about the number of five hundred. His harangue was on popular topics, of Irish grievances, and he spoke with a fervency of manner that showed him sincere in the sentiments he

uttered. When he concluded, Malachy took his station, and proceeded to address the peasantry. I could not but observe in his speech, superior ingenuity. Emmett was more eloquent, but less artful; more impassioned, but less logical. There was sincerity in every word he uttered, and patriotism appeared to predominate in every measure he recommended, whilst humanity breathed throughout his discourse. But Malachy addressed himself directly to the passions, and so intimately blended religion with politics, that his auditors could scarcely suppress the operation of their feelings, and when he concluded, an involuntary burst of applause followed.

"Dennis, who had listened with the utmost attention to both speakers, now took me by the hand and led me into the throng. Malachy cast his eye upon me, and instantly exclaimed, 'A Spy!'

"'A Spy!' was re-echoed by a hundred voices, and in a moment the deferential horror of all present caused a circle to be formed around me, every man being eager to get as far as possible from what he considered the contagion of my presence.

"The indignation I felt at Malachy's imputa-

tion for a moment deprived me of speech, and felt as if riveted to the place, when Emmett kindly stepped forward and took me by the hand. 'My friends,' said he, 'there is some mistake; Mr. K—— is a young man of liberal principles and high notions of honor, and I am certain that he is incapable of betraying our secret, much less acting as a spy upon our proceedings.' 'You do me but justice,' I replied, 'for I came here this night to learn if your cause was such as required or deserved the assistance of a freeman's arm, and not basely to betray my countrymen, for I trust those that surround me will not refuse me the fraternal embrace because I was born in England, while my parents and heart were ever Irish.' This remark elicited much applause, and I proceeded: 'I trust that the person who has imputed such a base motive to my presence here, has mistaken me.'

'You are right, Godfrey,' interrupted Malachy, with the utmost familiarity, 'I did indeed mistake you for another person.'

'I thought as much,' said Emmett, 'and let us now rejoice that our cause, the noblest in which man was ever engaged, has received the acquisition of a pure spirit, who feels indignant at our wrongs, and who burns to avenge them.'

After this conference, many of his partisans slunk away, and declined all farther participation in the affair ; others, however, and those the majority, resolutely determined to follow the fortunes of their beloved leader, and declared that they would not desert him although they advanced with the certainty of utter destruction to themselves or their cause. The die was cast, and all further reflection was repelled by the ardor and firmness of resolution.

Fortune, on this occasion, not to be accused of fickleness, seems never, from his first embarking on this desperate adventure, to have been for a single moment, auspicious to the devoted Emmett. His negotiation with Dwyer had failed, and a plan, even more specious, and on which he now grounded the most sanguine hopes of success, proved equally fallacious. A part of the plan of general attack determined upon, was to force the batteries and stores at the mouth of the harbor of Dublin, by the assistance of those working people from the counties of Wicklow and Wexford, who, in the months of June and July, repair in considerable numbers, for the purpose of hay-making, to the neighborhood of Dublin. The minds of this

class of men appeared by no means more softened, nor their passions less alive to every motive of discontent, whether real or imaginary, than they were at the period of the rebellion, in 1798, which they had principally supported, and the daring conduct of which had prepared and habituated them for similar encounters; their enmities were fierce and vehement; their courage and resolution undoubted; it was therefore natural that they should be selected as most useful and valuable auxiliaries. For some time they had manifested the most cordial concurrence; but on the 22d of July, the day before that appointed for action, they, for some cause unknown, formally declared their abandonment of the design. They did not, however, accompany their refusal with any discovery of the plot.

For some days prior to the 23d of July, Emmett passed entirely in his depot, reposing at night on a mattress thrown upon the ground, amid the implements of death which he had there collected.

In a back house, recommended by its secluded and uninviting situation, were about a dozen men at work; some busy making cartridges, while others were casting bullets; some fabri-

cating rockets, and others making pikes. The heaps of muskets, and other war-like weapons, scattered around, served to inspire a feeling of awe in the glomy mansion of incipient treason, singularly contrasted with the thoughtless levity depicted upon the half-intoxicated countenances of those engaged in preparing the instruments of death.

My friend, on seeing all safe, could not conceal his satisfaction; and having distributed some money amongst the men, he dismissed them. As they withdrew, he bolted the door, and throwing himself upon a rude seat, seemed lost in the intensity of his feelings. I was not less serious: for the workmen, the arms, and the gloom of the place, had deeply affected my spirits, and brought upon my mind a desponding impression, not unmixed with sensations of fear.

"My friend," said Emmett, after a silence of several minutes, "how ungrateful are mankind! how thoughtless are nations! The philosopher is neglected, and the patriot unhonored; yet, without knowledge and liberty, how valueless all the possessions of man! How little do those who profit by wisdom, or glory in the possession of freedom, know of the student's

privations, or the conspirator's danger! and without study and treason, how few could be either wise or free? Nations, exulting in the enjoyment of their rights, but too often forget those to whom they are indebted for the blessing. Englishmen continually boast of their liberty, yet with how many Britons are the names of Sydney and Hampden as vague as those of Gallitzin and William Tell? The sound is familiar, but it scarcely raises a single association."

"The hope of applause," I replied, "though it may stimulate our exertions, should never be allowed to direct our actions, and he that is honored by the discerning may readily dispense with the plaudits of the vulgar."

"True," he returned, "but those who benefit mankind may at least expect gratitude; and if the danger encountered by the patriot may be allowed to enhance the debt, I know of none who has so large a demand as the conspirator, whose object is universal good. After once he imparts his schemes to others, he lives in continual apprehensions; every stranger is an object of suspicion; every incident is pregnant with danger. The mistakes of his friends may ruin him, and a concealed enemy may

lurk amongst his associates ; for, as his designs require numerous abettors, it is very difficult to select many men without including some traitor ; and one informer is sufficient to blast all his hopes—as a single spark will cause the explosion of the largest powder magazine. I have latterly felt so acutely the uncertainty of my situation, that I am determined to hasten the event of our plan ; for any conclusion would be preferable to protracted suspense.

“ I know not,” I replied, “ whether it is desirable to persist in your scheme, for the reasoning of our friend, the Exile, never appeared to me so rational as since I entered this depot of Rebellion. A thousand thoughts start up in my mind, which I can neither allay nor satisfactorily account for. These scattered instruments of destruction proclaim, that in the event of an insurrection, numbers must die ; but how many are to taste the bitterness of death, defies human calculation. Ourselves, too, may be among the fallen, and, what is more, the cause may be unsuccessful.”

“ All these,” interrupted Emmett, “ depend upon events and circumstances, about which we can know nothing positive ; 'tis for us only to ascertain the probability of success, and

to persevere in the course which honor and duty point out. Enough for us to know that Ireland requires the standard of revolt to be raised by some one, and that neither defeat nor triumph can add to or diminish our consciousness of rectitude. Impediments may crowd the long perspective before us, but beyond these are glory, honors, immortality—rewards, for obtaining which no sacrifice is too great—no enterprise too dangerous.

“Let not,” he continued, “my apprehensions too carelessly expressed, damp the ardor of your soul, for the reasons which first induced you to embark in this best of causes, are the same now as then, whatever arguments you may have heard to the contrary. We are young and unincumbered ; defeat can neither distress our friends nor ruin ourselves, for what have we to lose but life ? And life is held on so uncertain a tenure, that a thousand daily accidents may deprive us of it, and that too so suddenly and so soon as to leave our memory without an accompanying deed to keep it afloat on the stream of time. Admitting for an instant that we shall (which Heaven forbid !) be unsuccessful, think not that our endeavors will be forgotten, or that our country will cease

to remember us. No, my friend, the tyrant laws may condemn us, and tyrant authority asperse and vilify our characters; but rely on it, that Irishmen shall reverence the names of K—— and Emmett while patriotism has admirers, or Ireland a friend. Our country has never been ungrateful, and so few have been her benefactors, that she is prodigal of thanks for even dubious favors. Of us she can have but one opinion, for ingenuous enmity cannot attribute any but laudable motives to our designs. For Ireland I will spend my private fortune, and for Ireland I shall, please God, venture my life. Kosciusko is a name as beloved in Poland as that of Wasington in America.

“But reverse this gloomy picture, and look—as humanity should ever look—upon the bright side of things; for defeat does not always terminate daring enterprises. Reflect upon the consequences of success; our enemies vanquished, our arms triumphant, and Ireland free! Our names associated with the liberators of nations, and ourselves overwhelmed with the grateful benedictions of an emancipated people. Our youth will increase the general wonder, and the means by which we

shall achieve such illustrious actions will augment the pleasing amazement. Add to this the exalted stations we shall occupy, and the joyful approbation of our own bosoms; and tell me, is not our present situation, taking all things into account, one that might well be envied? Defeat cannot deprive us of honor, nor death of glory; while success, if obtained, has in store for us all those rewards which ever graced the most fortunate of mankind.

“Opportunities for great actions,” says the moralist, “occur but seldom, and surely he ill deserves honor who lets the opportunity pass when it presents itself. Glory has found us, and let us embrace her; the tide of our affairs is at the flood, and let us embark upon the waves of fortune: we are all attended, and Heaven seems propitious. A thousand years may pass, and a more favorable moment may not again occur.

“What, still thoughtful? Oh, I see, Miss J—— has whispered something into your ear which has operated unfavorably upon your mind. Well, I can excuse you, for a being of such perfect loveliness might well disturb a hermit’s prayer, though I will not allow her to divert a patriot’s purpose.”

"Then," said I, "you will not pardon love in a conspirator?"

"I can not only pardon it," he replied, "but sincerely wish that the tender passion may be always blended with the *amor patriæ*, for he that anticipates the commendation of a beloved mistress, can never act dishonorably. My friend," he continued, rising and taking me by the hand, "I too have one whose praise I wish to merit, and whose exaltation, next to my country, is the first wish of my heart. She is kind, she is lovely, and Heaven only knows how good!"

"And yet," I interrupted, "you would fling away this jewel, without having the untutored Indian's apology, for you know its value."

"I know its value," he rejoined, "and, because I know it, I wish to place it where its worth may be appreciated. The stagnant vale of inglorious ease is for those domestic enamored souls who are content to pass a life of inactive worthlessness, and who wish to enjoy affection without having merited love. Mine is a higher ambition: I must make myself worthy of the woman of my choice, and the glory which sheds its lustre on the husband shall reflect its splendor on the wife. Heaven forbid

that an excusable passion should thwart the great design of my life, or cause me for an instant to neglect my country's good for the purpose of promoting my own personal advantage. What earthly possessions could equal the glory of having freed Ireland from foreign domination? and, though failure might partially obstruct its rays, we never can be deprived of the consciousness of having deserved it."

PART IV.

The attack—Failure—Dispersion of the Patriots—Emmett's attachment for Miss Curran—Attempts to visit her, and is captured—Major Sirr.

THE magazine which Emmett had prepared for the outbreak was by no means despicable. It comprised the following warlike implements:

145 lbs. of cannon powder in bundles,

11 boxes of fine powder,

100 bottles filled with powder, enveloped with musket balls, and covered with canvass,

246 hand grenades, formed of ink bottles, filled with powder, and encircled with buck-shot,

62000 rounds of musket ball cartridges,

3 bushels of musket balls,

A quantity of tow mixed with tar and gunpowder, and other combustible matter, for throwing against woodwork, which when ignited, would cause an instantaneous conflagration; sky rockets, and other signals, &c., and false beams filled with combustibles; and no less than 20,000 pikes.

This superabundance of ammunition is an evident proof of Emmett having promises of

large supplies of men, in which promises he was fatally disappointed; for instead of having a force of thousands at his command, he could only muster a few hundreds on the evening of the engagement.

"On the morning of the appointed day, (23d of June, 1803) for this momentous enterprise," continues the same writer from whom we have been quoting, "the Kildare men were seen directing their hurried steps towards the Capital. They had collected about the depot in Marshalsea-lane and Thomas-street, in unusual crowds, when about five o'clock they were persuaded by their officers to return home. This, with the defection of the Wicklow and Wexford laborers, would have deterred a less ardent spirit than that of Emmett's from proceeding. His, though damped, never quailed under the danger that this disappointment was likely to bring on him and his followers.

Towards dusk he directed the distribution of pikes amongst the waiting crowds in Thomas street, and proceeded to make the necessary arrangements for the contemplated attack.

On the night of the 22d, we assembled at the depot, and, though every thing wore a

gloomy aspect, resolved to persevere. The different leaders received their instructions; some were to assemble their forces in the Barley Fields, now Mountjoy Square, some on the Coal Quay, and others in different parts of the town. These were to act only in case of seeing a third rocket, which Emmett was to send up when he considered the time arrived for the commencement of hostilities. Emmett, Malachy, Bryan, and I, were to head the forces which were to attack the castle.

Every thing being thus arranged, I bid my companions farewell for the night, and returned to my lodgings. I could sleep but little, and when I awoke the next morning, the consciousness of being on the eve of a great event, filled my mind with gloomy apprehensions. To reflect, however, was now useless, and without giving my thoughts time to inform against my purpose, I hurried to the depot, where I found all in confusion. The place was thronged by insurgents, who had arrived from the country, and whose presence served to obstruct the workmen. Malachy and Emmett, with astonishing firmness, gave directions; and I was handed the printed proclamation to read.

As I looked upon the expressive countenances of the desperate and infatuated men around me, I could not resist the gloomy prescience which the scene was calculated to impart. It was a moment I would not wish to go through again, there was so much of foreboding evil—so much of personal misfortune to be apprehended—and so much toil and peril which must be endured, whether the rebellion triumphed or was crushed. My imagination, like a prism, collected all the rays of evil from probable discomfiture, and showed me, in aggravated horror, all the dangers I had to encounter. However, to recede was now impossible, without incurring the imputation of cowardice, or what was more intolerable, the suspicion of my associates. Actual hostility was preferable to either of these; and, making a virtue of necessity, I recalled the memory of those conspirators who had been successful, and fortified my resolution by anticipating the same fortune, though every thing around might have taught a rational man the extravagant folly of hoping to subvert a powerful government with a few hundred men, partially armed. These, it is true, we thought, had only to raise the standard of rebellion, and thousands were

ready to support it, but in future, who will rely upon the promises of conspirators?"

About six o'clock, Emmett, Malachy, one or two others, and myself, put on our green uniform, trimmed with gold-lace, and selected our arms. The insurgents, who had all day been well plied with whiskey, began to prepare for commencing an attack upon the Castle; and when all was ready, Emmett made an animated address to the conspirators. At eight o'clock precisely, we sallied out of the depot, and when we arrived in Thomas Street, the insurgents gave three deafening cheers.

The consternation excited by our presence defies description. Every avenue emptied its curious hundreds, and almost every window exhibited half a dozen inquisitive heads, while peaceable shopkeepers ran to their doors, and beheld with amazement a lawless band of armed insurgents, in the midst of a peaceable city, an hour at least before dark. The scene at first might have appeared amusing to a careless spectator, from the singular dubious character which the riot wore; but when the rocket ascended, and burst over the heads of the people, the aspect of things underwent an immediate and wonderful change. The impulse of the

moment was self-preservation ; and those who, a few minutes before, seemed to look on with vacant wonder, now assumed a face of horror, and fled with precipitation. The wish to escape was simultaneous, and the eagerness with which the people retreated from before us impeded their flight, as they crowded upon one another in the entrance of alleys, courtways, and lanes ; while the screams of women and children were frightful and heart-rending.

"To the Castle!" cried our enthusiastic leader, drawing his sword, and his followers appeared to obey ; but when we reached the Market-house our adherents had wonderfully diminished, there not being more than twenty insurgents with us.

"Fire the rocket!" cried Malachy.

"Hold awhile," said Emmett, snatching the match from the man's hand who was about applying it. "Let no lives be unnecessarily lost. Run back and see what detains the men."

Malachy obeyed ; and we remained near the Market-house, waiting their arrival until the soldiers approached.

"Our cause is lost!" exclaimed Emmett, snatching the rockets from the man's hand who carried them, and trampling them under

his feet, he continued, "Let our friends at a distance escape; comrades provide for your own safety."

A skirmish now ensued, and we succeeded in forcing our way into Francis-street, but had not proceeded far before we saw another party of soldiers advancing against us from the Coombe.

"This way, sir!" cried a voice I had heard before, and Denis Howlan seized my arms, and pulled me into a street (Plunket-street;) full of old clothes shops. About a dozen doors down we turned into a shop, Denis asked as we entered, "Friend or foe?" "Friend!" cried an old man, hurrying us into a back parlour, and then up stairs. "The roof, the roof," he whispered; and accordingly we made our exit through a dormer window. In the gutter, between the houses, we found three men, who had sought that place of safety; and, having also danger to apprehend, we took, like them, a recumbent posture.

Throughout the night our ears were assailed with noises like those of a town suddenly attacked—bells ringing—drums beating, and all the clamor of war—while an occasional shot announced that our danger was not over. My

companions sent up incessant prayers for the safety of their enthusiastic leader, and, as I loved the man, I heartily joined in their observations.

It was during the progress of the insurgents from the depot, that the attention of the rear was diverted by the arrival of an equipage; a moment's enquiry satisfied the mob it was that of the lord chief justice of Ireland. A halt was instantly called, disorder and tumult prevailed; the heads of the advancing party immediately returned upon their steps, and the massacre of the venerable Lord Kilwarden was called for and committed by some cold-blooded ruffians amongst them!

It is universally agreed that the murder of this excellent man was the unpremeditated act of a ferocious rabble; but there are various accounts of their probable motives in wantonly sacrificing so upright and humane a judge to their fury. A popular explanation of this is, that the perpetrators mistook him for another person. There is also an account which admits the mistake in the first instance, but subjoins other particulars, which appear sufficiently probable; and as some of the facts, of which there is no doubt, reflect the highest honor upon

Lord Kilwarden's memory, the whole shall be here given.

In the year 1795, when he was attorney general, a number of young men (all of whom were between the ages of fifteen and twenty) were indicted for high treason. Upon the day appointed for their trial, they appeared in the dock, wearing shirts with tuckers and open collars, in the manner usual with boys. When the chief justice of the King's Bench, before whom they were to be tried, came into court, and observing them, he called out, "Well, Mr. Attorney, I suppose you're ready to go on with the trials of these *tuckered* traitors?" The attorney-general was ready, and had attended for the purpose; but indignant and disgusted at hearing such language from the judgment seat, he rose and replied, "No, my lord, I am *not* ready; and (added he, in a low tone to one of the prisoner's counsel who was near him) if I have any power to save the lives of these boys, whose extreme youth I did not before observe, that man shall never have the gratification of passing sentence upon a single one of those *tuckered* traitors." He performed his promise, and soon after procured pardons for them all upon the condition of their expatriating them-

selves forever; but one of them obstinately refusing to accept the pardon upon that condition, he was tried, convicted and executed. Thus far the fact upon credible authorities; what follows is given as an unauthenticated report. After the death of this young man, his relatives, it is said, readily listening to every misrepresentation which flattered their resentment, became persuaded that the attorney-general had selected him alone to suffer the utmost severity of the law. One of these, (a person named Shannon) was an insurgent on the 23d of July, and when Lord Kilwarden, hearing the popular cry of vengeance, exclaimed from his carriage, "it is I, Kilwarden, chief justice of the King's Bench!" "Then!" cried out Shannon, "you're the man that *I* want!" and plunged a pike into his lordship's body.

It was at this period, it is asserted, that Mr. Emmett, and the other leaders, who had been somewhat more than an hour engaged in a task far beyond their powers, retired in despair at finding all command disregarded, all efforts to produce subordination ineffectual; and their favorite project of seizing the castle rejected for the slightest opportunity that occurred of indulging the predatory disposition of their asso-

ciates to rapine and murder. It has been urged in their favor, that shocked and disgusted at the murder of Lord Kilwarden, the chiefs instantaneously came to the resolution of abandoning their unprincipled followers.

A detachment of the regular army coming up now, commenced a brisk fire on the remaining insurgents, and obliged them, after a short resistance, to seek safety in flight. A party of soldiers, stationed at the Coombe, under Lieutenant Douglas, was attacked by the mob, who were retiring from Thomas-street, and made to give way after a severe skirmish. At this attack the bravery of a venerable old man shone conspicuous; his son was attacked and sorely pressed by the bayonet of one of the soldiers, and would inevitably have been sacrificed, had not the parent, who saw his danger, stepped in and received the blow intended for the son.

The soldier suffered the fate he gave; he was piked instantaneously by the infuriate youth, who retired with agonized feelings, leaving the two bodies side by side—sad mementos of the effects of bad laws and misgovernment. It was never exactly known the numbers of lives lost on this night; it is supposed, however, there could not be less than

eighty, including the loss on both sides. Emmett fled to the mountains; he arrived in time to prevent a contemplated rising of the insurgents. Immediately after, he and the other leaders in the conspiracy met in a glen in the Wicklow mountains, to consult on plans of future operations.

"We had just gained the ascent of a lofty hill, on our way to the place of meeting, when a shrill whistle, apparently not far distant, brought us to a full stop, and in an instant, a dozen men started up, as if by some magical agency from the heath around us. "Your name and business?" demanded a gloomy-looking figure who stood before us, wrapped up in a great cloak.

"Our names and business?" repeated Denis; 'maybe we've neather; what would you have then?'

"Your life!" replied our interrogator, approaching us with a pistol in each hand.

"Hold!" exclaimed a man rushing between us, "these are friends. You *spalpeen*, don't you know Denis Howlan?"

"Faith, Captain Dwyer," said my companion, with the utmost *sang froid*, "it just is Denis Howlan himself, and this is a real friend

of Giniral Emmett, though it is not himself that's in it as he hasn't got on his own clothes."

"No matter for that," replied Dwyer, "hasten to the glen. The council are meeting, and I am here to prevent intruders—pass on—good night—Babes* to your cover."

In the glen, as the outlaw had informed us, we found several persons assembled; and when my name was announced, one of them advanced from a circle formed round him, and seized my hand—it was the unfortunate enthusiast, Robert Emmett. His manner was most kind and affectionate, and he congratulated me, with every demonstration of sincerity, on my escape from the slaughter of the preceding evening. He lamented the fate of Malachy and Bryan, and seemed deeply affected at the discomfiture of his scheme.

I soon learned that my friend, with some others, had escaped to these hills on Saturday night, in time to prevent a contemplated rising of the insurgents; and had met, this evening, the leaders in the conspiracy, to consult on

*The rebel outlaws, who took up their abodes in the mountains and fastnesses of Wexford and Wicklow, after 1798, ludicrously called themselves "The Babes of the Wood."

plans of future operations. Most of them recommended vigorous measures; and strenuously advised an immediate attack on Wicklow, Arklow, &c. stating that all the kingdom was ripe for revolt. The time had passed for Emmett to credit such sweeping assertions, and though he did not contradict his friends, he unhesitatingly condemned the having any further recourse to hostilities. "For," said he, "defeated in our first grand attempt, all further endeavors must be futile. Our enemies are armed; our friends are dispirited; and our only hope is now in patience. The justice of our cause must one day triumph, and let us not indiscreetly protract the period by any premature endeavors to accelerate it. No doubt I could, in forty-eight hours, wrap the whole kingdom in the flames of rebellion; but as I have no ambition beyond the good of my country, best study her interest, and the interest of freedom, by declining to elevate my name upon the ruin of thousands, and afford our tyrants an apology to draw another chain around unhappy Ireland. In revolts, the first blow decides the contest—we have aimed one, and missing the mark, let us retire unobserved, and leave the enemy ignorant of the hand that was

raised for their destruction. Impenetrable secrecy surrounds all our measures; the loss we have sustained is inconsiderable; and, unacquainted with their own danger, and the extent of our resources, the tyrants of Ireland will relapse into false security, and afford us, perhaps, sooner than we imagine, another opportunity to attack the hydra of oppression. Let me, therefore, my friends, advise you to act with that prudence which becomes men engaged in the grandest of all causes, the liberation of their country. Be cautious, be silent, and do not afford our enemies any ground for either tyranny or suspicion; but, above all, never forget that you are *United Irishmen*, sworn to promote the liberty of your country by all the means in your power.

“I have now relieved my bosom from a load of apprehension, and in preventing the revolt of last night from assuming the form of rebellion, I am conscious of having saved the lives of thousands of my fellow-countrymen. When the libeller of my name and intentions shall charge the blood of yesterday to my memory, I hope there will not be wanting some one to recollect, that if a little has been shed through my means, I have saved the effusion of one

hundred times as much, on which I might have floated to a disreputable notoriety.

“Over my future destiny Fate has thrown a veil which mortal eyes cannot penetrate. Should I succeed in evading the pursuit of my enemies, you may expect to see me once more armed in the cause of Ireland ; but should I fall on the scaffold, let not the coward or the knave intimidate you from again and again appealing to Heaven in behalf of your rights and liberties by appealing to my recent failure. Oh ! I beseech you, as friends and fellow-patriots, to believe me, and in the name of our common country I charge you transmit it to your children, that, had I only one thousand pounds more, and another thousand men, I had overthrown the temple of despotism, and given liberty to Ireland. My plan was an admirable one, but there was failure in every part, and from these defects let future patriots learn to prevent similar consequences. Our attempt will not be unproductive of good ; our government will learn from it, that they will never be secure while an *Emmett* is in existence, and the conspirator will see, that tens of thousands may know his secret without even one being found capable of betraying it. Gentlemen, you will now

look to your own safety, and as for me, I shall do the best I can to quit the country, in the hope of again meeting you under more happy auspices."

He spoke in a subdued and feeling tone, and as he bade them all farewell, he appeared deeply affected. After some hesitation, his advice was acquiesced in, and the assembly began to separate, two and three at a time.

Emmett was now pressed to make his escape before government obtained information respecting his place of concealment; an opportunity then offered of his doing so, as several fishing smacks lay off the coast, the owners of which were insurgents. He replied to his friends who were pressing him:—

"I shall follow your advice in a few days; but I cannot yet quit Ireland. Excuse my obstinacy, but there is one to whom I must bid an eternal farewell, before the terrors of government shall force me into exile. Why should I refuse to acknowledge the cause? for I am not ashamed of a weakness that compels me to do an act of justice—to beg, and, if possible, to obtain forgiveness from a woman whom I have unintentionally injured—whom I have loved so well, that I must once more see her, hear her,

and converse with her, though ten thousand deaths awaited on the interview. You now see, my friends, the cause of my not complying with your advice, and though you should condemn my notions as extravagant, I cannot consent to forego my resolution.

The lady to whom poor Emmett was so enthusiastically attached, was the youngest daughter of the celebrated Curran; and, if report may be credited, she was every way worthy of a heart so fond, so gentle and so noble, as that of Robert Emmett.

There is no doubt but Emmett could have escaped the vigilance of the officers of the law, but for his determination to have an interview with his loved. He could not leave his native isle without bidding a last adieu to her he so dearly loved. In his attempt to do this, he took refuge in a house that belonged to his father in an adjoining village to Mr. Curran's residence. Here he wrote several letters to Miss C——, and while anxiously awaiting an answer, the house he was in was suddenly surrounded by police officers, headed by the celebrated Major SIRR, who rushing into the apartment, seized him as he was sitting down to dinner.

Mr. Curran, in the case of Hevey vs. SIRR,

thus characterizes this notorious individual:— It was at this sad crisis (1798) that Major Sirr, from an obscure individual, started into notice and consequence. It is in the hot-bed of public calamity that such inauspicious products are accelerated without being matured. From being a town-major, a name scarcely legible in the list of public incumbrances, he became all at once invested with all the real powers of the most absolute authority.

With this gentleman's extraordinary elevation began the story of the sufferings and ruin of Hevey. A man was prosecuted by the state; Hevey, who was accidentally present at the trial, knowing the witness for the prosecution to be a person of infamous character, mentioned the circumstance in court. He was sworn, and on his evidence the prisoner was acquitted. In a day or two after, Major Sirr met Hevey in the street, asked how he dared to interfere in his business? and swore, by G—d, he would teach him how to meddle with 'his people.' On the following evening poor Hevey was dogged in the dark into some lonely alley—there he was seized, he knew not by whom, nor what authority—his crime he soon learned: it was treason he had committed

against the majesty of Major SIRR. He was immediately conducted to a place of imprisonment in the castle yard, called the provost. Of this mansion of misery, Major Sandys was the keeper. Here Hevey lay about seven weeks, he was at last discovered among the sweepings of the prison. 'Hevey,' said the Major, 'I have seen you ride a smart bit of a mare—you can't use her here—you had better give me an order for her.' Hevey, induced by hopes and by fear, gave the order. The major accepted the order, saying, 'your courtesy will not cost you much—you are to be sent down to-morrow to Kilkenny to be tried for your life—you will most certainly be hanged, and you can scarcely think that your journey to the other world will be performed on horseback. Hevey was accordingly transmitted to Kilkenny, tried by a court martial, and convicted upon the evidence of a person under sentence of death, who had been allured by a proclamation, offering a reward to any man who would come forward and give any evidence against the traitor Hevey. Lord Cornwallis read the transmiss of Hevey's condemnation—his heart recoiled from the detail of stupidity and barbarity. He dashed his pen across the odious record, and ordered that

Hevey should be forthwith liberated. On his return to Dublin, Hevey met Major Sandys, and demanded his mare: 'Ungrateful villain,' says the Major, 'is this the gratitude you show to his Majesty and to me, for our clemency to you—you shan't get possession of the beast.' Hevey brought an action for the mare; the major, not choosing to come into court and suggest the probable success of a thousand actions, restored the property.

Three years had elapsed since the deliverance of Hevey—the public atmosphere had cleared—the private destiny of Hevey seemed to have brightened, but the malice of his enemies had not been appeased. On the 8th of September, 1801, Mr. Hevey was sitting in a public coffee house—Major Sirr was there—Mr. Hevey was informed that Major Sirr had at that moment said, that he (Hevey) ought to have been hanged. Mr. Hevey was fired at the charge; he fixed his eye on Sirr, and asked if he had dared to say so? Sirr declared that he had, and had said truly. Hevey answered, that he was a slanderous scoundrel. At the instant Sirr rushed upon him, and assisted by three or four of his satellities, who had attended him in disguise, secured him, and

'sent him to the castle guard, desiring that a receipt might be given for the villain. He was sent thither. The officer of the guard chanced to be an Englishman, but lately arrived in Ireland—he said to the bailiffs, 'if this was in England, I should think this gentleman entitled to bail, but I don't know the laws of this country—however, I think you had better loosen those irons on his wrists, or they may kill him.'

Major Sirr, the defendant, soon arrived, went into his office, and returned with an order which he had written, and by virtue of which Mr. Hevey was conveyed to his old friend and gaoler, Major Sandys. Here he was flung into a room of about thirteen feet by twelve—it was called the hospital of the provost—it was occupied by six beds, in which were to lie fourteen or fifteen miserable wretches, some of them sinking under contagious disorders. Here he passed the first night without bed or food. The next morning his humane keeper, the Major, appeared. Mr. Hevey demanded why he was so imprisoned, complained of hunger and asked for the gaol allowance. Major Sandys replied with a torrent of abuse, which he concluded by saying—your crime is your

insolence to Major Sirr; however, he disdains to trample on you—you may appease him by proper and contrite submission; but unless you do, you shall rot where you are. I tell you this, that if government will not protect us, by G—d, we will not them. You will probably (for I know your insolent and ungrateful hardness) attempt to get out by an habeas corpus, but in that you will find yourself mistaken as much as a rascal deserves.' Hevey was insolent enough to issue an habeas corpus; and a return was made on it, 'that Hevey was in custody under a warrant from General Graig, on a charge of high treason.' That the return was a gross falsehood, fabricated by Sirr, I am instructed to assert. The judge, before whom this return was brought, felt that he had no authority to liberate the unhappy prisoner; and thus, by a most inhuman and malicious lie, my client was again remanded to the horrid mansion of pestilence and famine. Upon this, Mr. Hevey, finding that nothing else remained, signed a submission dictated by Sandys, was enlarged from confinement, and brought the present action.

The jury awarded Mr. Hevey 150*l.* damages.

PART V.

The conduct of Mr. Emmett after his arrest—His letter to John Philpot Curran—His associates—Trial and Conviction—His celebrated speech in defence of his character.

AFTER his arrest, the unfortunate Emmett betrayed no tokens of fear or perturbation, but evinced the same calm and dignified aspect which ever distinguished this extraordinary young man.

A few days after, he wrote the following letter to Mr. Curran, detailing the origin and progress of his attachment for the daughter of that gentleman :

“ I did not expect you to be my counsel. I nominated you, because not to have done so might have appeared remarkable. Had Mr.—— been in town, I did not even wish to have seen you ; but as he was not, I wrote to you to come to me at once. I know that I have done you a very severe injury, much greater than I can atone for with my life ; that atonement I did offer to make before the privy council, by pleading guilty, if these documents were suppressed. I offered, if I were permitted to consult some persons, and if they would consent to an ac-

commodation for saving the lives of others, that I would only require for my part of it, the suppression of those documents, and that I would abide the event of my own trial. This also was rejected, and nothing but individual information, (with the exception of names,) would be taken. My intention was, not to leave the suppression of those documents to possibility; but to render it unnecessary for any one to plead for me, by pleading guilty to the charge myself.

“The circumstances that I am now going to mention, I do not state in my own justification. When I first addressed your daughter, I expected that in another week my own fate would be decided. I knew that in case of success, many others might look on me differently from what they did at that moment; but I speak with sincerity, when I say, that I never was anxious for situation or distinction myself, and I do not wish to be united to one who was. I spoke to your daughter, neither expecting, nor, in fact, under such circumstances, wishing, that there should be a return of attachment; but wishing to judge of her dispositions, to know how far they might not be unfavorable or disengaged, and to know what foundation I

might afterwards have to count on. I received no encouragement whatever. She told me she had no attachment for any person, nor did she seem likely to have any that could make her wish to quit you. I staid away till the time had elapsed when I found that the event to which I allude was to be postponed indefinitely. I returned by a kind of infatuation, thinking that to myself only was I giving pleasure or pain. I perceived no progress of attachment on her part, nor any thing in her conduct to distinguish me from a common acquaintance. Afterwards I had reason to suppose that discoveries were made, and that I should be obliged to quit the kingdom immediately: and I came to make a renunciation of any approach to friendship that might have been formed. On that very day she spoke to me to discontinue my visits; I told her it was my intention, and I mentioned the reason. I then, for the first time, found I was unfortunate, by the manner in which she was affected, that there was a return of affection; and that it was too late to retreat. My own apprehensions, also, I afterwards found, were without cause, and I remained. There has been much culpability on my part in all this, but there has also been a great

deal of that misfortune which seems uniformly to accompany me. That I have written to your daughter since an unfortunate event has taken place, was an additional breach of propriety, for which I have suffered well; but I will candidly confess, that I not only do not feel it to have been of the same extent, but that I consider it to have been unavoidable, after what had passed; for though I will not attempt to justify, in the smallest degree, my former conduct, yet when an attachment was once formed between us—and a sincerer one never did exist—I feel that, peculiarly circumstanced as I then was, to have left her uncertain of my situation would neither have weaned her affections, nor lessened her anxiety; and looking upon her as one whom, if I had lived, I hoped to have had my partner for life, I did hold the removing her anxiety above every other consideration. I would rather have had the affections of your daughter in the back settlements of America, than the first situation this country could afford without them. I know not whether this would be any extenuation of my offence—I know not whether it will be any extenuation of it to know, that if I had that situation in my power at this mo-

ment, I would relinquish it to devote my life to her happiness—I know not whether success would have blotted out the recollection of what I have done—but I know that a man, with the coldness of death in him, need not be made to feel any other coldness, and that he may be spared any addition to the misery he feels, not for himself, but for those to whom he has left nothing but sorrow.”

The original, from which the above letter has been copied, was not signed or dated.

Upon the arrest of Mr. Emmett, some papers were found about his person, which showed that subsequent to the insurrection, he had corresponded with one of Mr. Curran's family : a warrant accordingly followed, as a matter of course, to examine Mr. Curran's house, where some of Mr. Emmett's letters were found, which, together with the documents taken upon his person, placed beyond doubt, his connection with the late conspiracy, and were afterwards used in evidence upon his trial.

At the instance of the Attorney General, Mr. O'GRADY, Mr. CURRAN accompanied him to the privy council. Upon his first entrance, there was some indication of the hostile spirit which he had originally apprehended. A no-

ble lord, who at that time held the highest judicial situation in Ireland; undertook to examine him upon the transaction which occasioned his presence. To do this was undoubtedly his duty. He fixed his eye upon Mr. Curran, and was proceeding to cross-examine his countenance, when (as it is well remembered by spectators of the scene) the swell of indignation, and the gleam of stern dignity and contempt which he encountered there, gave his own nerves the shock which he had meditated for another's, and compelled him to shrink back in his chair, silent and disconcerted at the failure of his rash experiment. With this single exception, Mr. Curran was treated with the utmost delicacy.

A special commission was opened to try Emmett and nineteen other prisoners in Dublin, on the 31st of August, 1803. Of these nineteen, one was acquitted, and another reprieved; the next were convicted and executed on the evidence of various witnesses. We give a brief sketch of some of Emmett's associates, taken from a little book before us:

Amongst the unfortunate men convicted were some of the principal associates of Emmett in the insurrection. Mr. Russel was the

son of an officer of reputation in his Majesty's service, and who, having retired, enjoyed an honorable retreat in the situation of master of the royal hospital for veterans at Kilmainham, near Dublin. He was placed early in the army, and served at Bunker's Hill, and the subsequent campaigns in North America. After the peace, he either retired on half pay, or his corps was reduced. He was affectionate and tender-hearted, and possessed every feeling and sentiment of the gentleman. After the arrest of Emmett, Russel introduced himself clandestinely into Dublin, with a view to rescue his friend, if possible, under favor of some commotion. About two days after his arrival, it became known that some person was mysteriously secreted in the immediate vicinity of the castle. Information to this effect having been conveyed to Major Sirr, that officer proceeded to the examination of a house in Parliament street, where he was found, and to whom Mr. Russel, though well armed, surrendered without resistance. It was supposed that he was, in this act, influenced by a religious scruple. He was immediately transmitted to Down Patrick, in the North of Ireland, where he was shortly after brought to trial, and upon the

clearest evidence of his treason, convicted. After his trial, he manifested all that wildness of religious enthusiasm, which had for some time formed the prominent feature of his character. On conviction, he addressed the Court at great length, and with remarkable firmness. He declared his adherence to the political opinions for which he was about to suffer, and touched in a tender point, the gentlemen of the county of Down, by whom he was surrounded. These gentlemen, although latterly become more anxious to secure their property than to preserve the circle of their liberties, had been foremost in the outcry for parliamentary reform and political independence. Russel reminded them of this circumstance, and declared that he was doomed to suffer for endeavoring to put into execution the lessons imbibed amongst them.

A man of different stamp was Dwyer. This man, at the head of a gang of deserters and banditti, had remained in arms from the period of the rebellion of 1798, obstinately rejecting repeatedly proffered mercy, and who dexterously eluding all pursuit, had sustained himself under the protection of the almost inaccessible fastnesses of the Wicklow Mountains.

His party did not ostensibly exceed twenty, but he was supposed to possess unbounded influence over the peasants of the district, so that a large body, on any notable undertaking, was within his means of command. Dwyer and his band of outlaws afterwards submitted, on the stipulation that their lives should be spared.

The trial of Mr. Emmett took place at the Sessions-House, Greene street, on Monday, the 19th day of September, 1803, before Lord Norbury,* Mr. Baron George, and Mr. Baron Daly, Mr. O'Grady acting as Attorney-General. He was charged in the indictment with "compassing the deposition and death of the King, and conspiring to levy war against the King within the realm."

Mr. Emmett having pleaded not guilty, was given in charge, and the indictment was then opened by an address from the Attorney-General, in substance as follows :

* The Irish ever after had a spite against this dignitary, for the cruelty he displayed throughout the trial of Mr. Emmett. It is said that he was killed by an Irish lad on his own domain. The boy accosted him one day, near his residence, handed him a letter, and while he was reading it, shot him through the heart. Thus perished a man whose vindictive and tyrannical spirit overwhelmed every better feeling of his nature.

My Lord, and Gentlemen of the Jury :

It is my duty to state as concisely as I can, the nature of the charge which has been preferred against the prisoner at the bar, and also the nature of the evidence which will be produced to substantiate the charge. It will require on your part, the most deliberate consideration ; because it is not only the highest crime of which at all times the subject can be guilty, but it receives, if possible, additional aggravation when we consider the state of Europe, and the lamentable consequences which revolution has already brought upon it.

Perhaps at former periods some allowance might be made for the heated imagination of enthusiasts ; perhaps an extravagant love of liberty, might for a moment supersede a rational understanding, and might be induced, for want of sufficient experience or capacity, to look for that liberty in revolution. But it is not the road to liberty. It throws the mass of the people into agitation, only to bring the worst and the most profligate to the surface. It originates in anarchy, proceeds in bloodshed, and ends in cruel and unrelenting despotism.

Therefore, Gentlemen, the crime of which the prisoner stands charged, demands the most

serious and deep investigation, because it is in its nature a crime of the blackest die, and which, under all existing circumstances, does not admit of a momentary explanation.

Gentlemen, the prisoner stands indicted under a very ancient statute—the 25th of Edward the III.—and the indictment is grounded on three clauses. The first relates to compassing and imagining the death of the king—the second in adhering to his enemies—and the third in compassing to levy war against him. The two latter, namely, that of adhering to the king's enemies, and that of compassing to levy war, are so intelligible in themselves that they do not require any obversation upon them. But the first admits of some technical considerations, and may require on my part a short explanation.

In the language of the law, compassing the death of the king, does not mean or imply necessarily, any immediate attack upon his person. But any conspiracy which has for its object an alteration of the laws, constitution, and government of the country by force, uniformly leads to anarchy and general destruction, and finally tends to endanger the life of the king. And, therefore, where that design is substan-

tiated, and manifested by overt acts, whenever the party entertaining the design, uses any means to carry his traitorous intentions into execution, the crime of compassing and imagining the death of the king is complete.

Accordingly, gentlemen, this indictment particularly states overt acts, by which the prisoner disclosed the traitorous imagination of his heart—and, if it shall be necessary, those particular overt acts, and the applicability of the evidence which will be produced to support them, will be stated at large to you by the court, and therefore, it will not be necessary for me now to trespass upon the public time, by a minute examination of them.

Gentlemen, having heard the charge against the prisoner, you will naturally feel that your duty will require an investigation into two distinct points: first, whether there has, or has not existed a traitorous conspiracy and rebellion for the purpose of altering the law, the constitution, and the government of the country by force?—And, secondly, whether the prisoner has in any, and in what degree, participated in that conspiracy and rebellion?

Gentlemen, I do not wish to undertake to speak in the prophetic, but when I consider

the vigilance and firmness of his Majesty's government, the spirit and discipline of his Majesty's troops, and that armed valor and loyalty which from one end of the country to the other, has raised itself for the purpose of crushing domestic treason, and, if necessary, of meeting and repelling a foreign foe, I do not think it unreasonable to indulge a sanguinary hope, that a continuance of the same conduct upon the part of government, and of the same exertions upon the part of the people, will long preserve the nation free, happy and independent.

Gentlemen, upon former occasions, persons were brought to the bar of this court, implicated in the rebellion, in various, though inferior degrees. But if I am rightly instructed, we have now brought to the bar of justice, not a person who has been seduced by others, but a gentleman to whom the rebellion may be traced as the origin, the life, and soul of it. If I mistake not, it will appear that some time before Christmas last, the prisoner, who had visited foreign countries, and who for several months before had made a continental tour, embracing France, returned to this country, full of those mischievous designs which have been so fully

exposed. He came from that country, in which he might well have learned the necessary effects of revolution ; and, therefore, if he be guilty of treason, he embarked in it with his eyes open, and with a previous knowledge of all its inevitable consequences. But, notwithstanding, I am instructed that he persevered in fomenting a rebellion, which I will be bold to say, is unexampled in any country, ancient or modern. A rebellion which does not complain of any existing grievances, which does not flow from any immediate oppression, and which is not pretended to have been provoked by our mild and gracious king, or by the administration employed by him, to execute his authority. No, gentlemen, it is a rebellion which avows itself to come, not to remove any evil which the people feel, but to recall the memory of grievances, which, if they ever existed, must have long since passed away.

You will recollect, gentlemen, that in the large proclamation there was a studied endeavor to persuade a large portion of the people that they had no religious feuds to apprehend from the establishment of a new government. But the manifesto upon which I am now about animadverting has taken a somewhat different

course, and has revived religious distinctions at the very moment in which it expresses a desire to extinguish them.

“Orangemen, add not to the catalogue of your follies and crimes; already have you been duped to the ruin of the country, in the legislative union with its tyrant; attempt not an opposition; return from the paths of delusion; return to the arms of your countrymen, who will receive and hail your repentance. Countrymen of all descriptions, let us act with union and concert; all sects, Catholic, Protestant, Presbyterian, are equal and indiscriminately embraced in the benevolence of our object.” I will not apply to this passage all the observations that press upon my mind, because I am sincerely desirous that one feeling and one spirit should animate us all. I cannot but lament that there should be so many sectaries in religion, but trust in God there will be found amongst us but one political faith. But this manifesto is equally unfortunate in every instance in which it prescribes moderation. Attend to the advice by which it instigates the citizens of Dublin: “In a city each street becomes a defile and each house a battery; impede the march of your oppressors, charge

them with the arms of the brave, the pike, and from the windows and roofs hurl stones, bricks, bottles, and all other convenient implements, on the heads of the satellites of your tyrant, the mercenary, the sanguinary soldiery of England."

Having thus roused them, it throws in a few words of composure, "repress, prevent, and discourage excesses, pillage, and intoxication;" and to ensure that calmness of mind which is so necessary to qualify them for the adoption of this salutary advice, it desires that they will "remember against whom they fight, their oppressors for 600 years; remember their massacres, their tortures; remember your murdered friends, your burned houses, - your violated females." Thus affecting to recommend moderation, every expedient is resorted to, which could tend to inflame sanguinary men to the commission of sanguinary deeds.

Gentlemen, you must by this time be somewhat anxious to know the progress of the general, who escaped the memorable action which was to be fought, and the first place in which I am enabled to introduce him to you, is at the house of one Doyle, who resides near the Wicklow mountains. There the general and

his companions took refuge, at the commencement of the following week : they arrived there at a late hour ; the general was still dressed in his full uniform, with suitable lace and epaulets, and a military cocked hat, with a conspicuous feather. Two other persons were also decorated in green and gold. From thence they proceeded to the house of Mrs. Bagnall, and returned to the city of Dublin. What became of the other persons is foreign to the present inquiry, but we trace the prisoner from those mountains to the same house in Harold's Cross, in which he formerly resided, and assuming the old name of Hewit ; he arrived there the Saturday after the rebellion.

Having remained a month in this concealment, information was had, and Major Sirr, to whose activity and intrepidity the loyal citizens of Dublin are under much obligation, did confer an additional and greater one, by the zealous discharge of his duty, on this occasion. He came by surprise on the house, having sent a countryman to give a single rap, and the door being opened, the Major rushed in and caught Mrs. Palmer and the prisoner sitting down to dinner ; the former withdrew and the Major immediately asked the prisoner his name, and,

as if he found a gratification in assuming a variety of titles, he said his name was Cunningham, that he had that day arrived in the house, having been upon a visit with some friends in the neighborhood; the Major then left him in charge of another person, and went to inquire of Mrs. Palmer concerning him; she said he was a very proper young man of the name of Hewit, and that he had been in her house about a month: the Major at this moment heard a noise, and he found that the prisoner was endeavoring to make his escape, and having been struck with a pistol by the person who had the custody of him, he was by that means detained; immediately further assistance was called in from a neighboring guard-house, and an additional sentry was put upon him. The Major then again proceeded further to interrogate Mrs. Palmer, when the prisoner made another effort, got into the garden through the parlour window, but was at length overtaken by the Major, who at the peril of his own life, fortunately secured him. When the Major apologized for the roughness with which he was obliged to treat him, the prisoner replied, "all is fair in war."

Gentlemen, you have the life of a fellow sub-

ject in your hands, and by the benignity of our laws, he is presumed to be an innocent man until your verdict shall find him guilty.

“If upon the evidence you shall be so satisfied that this man is guilty, you must discharge your duty to your king, your country, and to your God. If, on the other hand, nothing shall appear sufficient to affect him, we shall acknowledge that we have grievously offended him, and will heartily participate in the common joy that must result from the acquittal of an honest man.”

In order that the reader may have a full understanding of this trial, which consigned so great and good a man to the grave, we give below the evidence, as adduced by the witnesses for the Crown—Mr. Emmett introduced none.

Joseph Rawlins, Esq. being sworn, deposed to a knowledge of the prisoner, and collected having been in his company some time in the month of December last, when he understood from him that he had been to see his brother at Brussels. On his cross-examination, the witness said, that in conversations with him on the subject of continental politics, the prisoner avowed that the inhabitants of the

Austrian Netherlands execrated Bonaparte's government ; and from the whole of the prisoner's conversation, the witness had reason to believe, that he highly condemned Bonaparte's conduct and government.

George Tyrrel, an attorney, proved the execution in the month of June last, of the lease of a house in Butterfield-lane, Rathfarnham, from Michael Frayne to the prisoner, who assumed on the occasion, the name of Ellis. Mr. Tyrrel was one of the subscribing witnesses to the lease, and a person named Dowdall was the other.

Michael Frayne, who leased the above-mentioned house to the prisoner, proved also to that fact, and that he gave him possession of it on the 23d of April preceding—that the prisoner and Dowdall lived there in the most sequestered manner, and apparently anxious of concealment.

John Fleming, a native of the county Kildare, sworn :—deposed, that on the 23d of July, and for the year previous thereto, he had been hostler at White Bull Inn, Thomas Street, kept by a person named Dillon. The house was convenient to Marshal-lane, where the rebel depot was, and to which the witness had

free and constant access, having been in the confidence of the conspirators, and employed to bring them ammunition and other things. He saw the persons there making pike-handles, and heading them with the iron part; he also saw the blunderbusses, firelocks, and pistols in the depot, and saw ball-cartridges making there. Here the witness identified the prisoner at the bar, whom he saw in the depot for the first time, on the Tuesday morning after the explosion in Patrick-street—(that explosion took place on Saturday, the 16th of July.) The witness had opened the gate of the Inn yard, which opened into Marshal-lane, to let out Quigley, when he saw the prisoner, accompanied by a person of the name of Palmer; the latter got some sacks from the witness to convey ammunition to the stores, and the prisoner went into the depot, where he continued almost constantly until the evening of the 23d July, directing the preparations for the insurrection, and having the chief authority. He heard the prisoner read a little sketch, as the witness called it, purporting that every officer, non-commissioned officer and private, should have equally every thing they got, and have the same laws as in France. Being asked what

it was they were to share, the prisoner replied, "what they got when they took Ireland or Dublin." He saw green uniform jackets making in the depot by different tailors, one of whom was named Colgan. He saw one uniform in particular, a green coat, laced on the sleeves and skirts, &c. and gold epaulets, like a general's dress. He saw the prisoner take it out of a desk one day and show it to all present (here the witness identified the desk, which was in court,) he also saw the prisoner, at different times, take out papers, and put papers back into the desk; there was none other in the store. Quigley used, also, sometimes to go to the desk. On the evening of the 23d of July, witness saw the prisoner dressed in the uniform above described, with white waistcoat and pantaloons, new boots and cocked hat, and white feather. He had also a sash on him, and was armed with a sword and case of pistols. The prisoner called for a big coat, but he did not get it, to disguise his uniform, as he said, until he went to the party that were to attack the castle. Quigley and a person named Stafford had uniforms like that of Emmett, but had only one epaulet. Quigley had a white feather, and Stafford a green one. Staf-

ford was a baker in Thomas-street. About 9 o'clock the prisoner drew his sword, and called out to "come on, my boys;" he sallied out of the depot, accompanied by Quigley and Stafford, and about fifty men, as well as he could judge, armed with pikes, blunderbusses, pistols, &c. They entered Dirty-lane, and from thence into Thomas-street. The prisoner was in the centre of the party. They began to fire in Dirty-lane, and also when they got into Thomas-street. The witness was also with the party. The prisoner went into the stores by the name of Ellis. He was considered by all of them as the general and head of the business; the witness heard him called by the title of general. In and out of the depot, it was said that they were preparing to assist the French when they should land. Quigley went into the depot by the name of Graham.

Terrence Colgan, the tailor named in the foregoing evidence, sworn. Deposed, that on the Sunday previous to the insurrection, he came to town from Lucan, where he lived, and having met with a friend, they went to Dillon's, the White Bull Inn, in Thomas-street, and drank, until the witness, overcome with liquor, fell asleep, when he was conveyed in

this state of insensibility into the depot, in Marshal-lane, and when he awoke the next morning, he was set to work making green jackets and white pantaloons. He saw the prisoner there, by whose directions everything was done, and who, he understood, was the chief. He recollected seeing the last witness frequently in the depot while he was there. He also saw the prisoner often at the desk writing. The witness corroborated the general preparations of arms, ammunition, &c. for the insurrection.

Patrick Farrel sworn. Deposed, that as he was passing through Marshal-lane, between the hours of nine and ten o'clock on the evening of Friday, the 22d of July, he stopped before the malt stores, or. depot, on hearing a noise therein, which surprised him, as he considered it a waste house. Immediately the door opened, and a man came forth, who caught him, and asked him what he was doing there? The witness was then brought into the depot, and again asked what brought him there, or had he ever been there before? He said he had not. They asked him if he knew Graham? He replied he did not. One of the persons then said the witness was a spy, and called out to

"drop him immediately," by which the witness understood they meant to shoot him. They brought him up stairs, and after some consultation, they agreed to wait for some person to come in, who would decide what should be done with him. That person having arrived, he asked the witness if he knew Graham? He replied that he did not. A light was brought in at the same time, and the witness having looked about, was asked if he knew any one there? He replied he knew Quigley. He was asked where? He replied that he knew him five or six years ago in the College of Maynooth, as a bricklayer or mason. The witness understood that Quigley was the person who went by the name of Graham. Here the witness identified the prisoner as the person who came in and decided he should not be killed, but he should be taken care of, and not let out. The witness was detained there that night and the whole of the next day, Saturday, the 23d, and was made to assist at the different kinds of work.

He assisted in taking boards off a car; the boards, he said, were made into cases, and pikes put into them. These cases the witness described as being made of the outside slabs of

a long beam, taken off about an inch or more thick—four or five inches at each end of the beam was cut off, the slabs were nailed together, and these pieces put in at the ends, so that it appeared like a rough plank or beam of timber. He saw several such cases, filled with pikes, sent out. The witness stated that on the evening of the 23d, he saw three men dressed in green uniforms, richly laced; one of whom was the prisoner, who wore two gold epaulets, but the other two only one each. The prisoner had also a cocked hat, sword, and pistols. When the witness was helping out one of the beams prepared for explosion, he contrived to effect his escape.

On his cross-examination, in which the interrogatories were suggested by the prisoner, the only thing remarkable in the evidence of the witness was, that he heard a printed paper read, part of which was, that nineteen counties were ready to rise at the same time, to second the attempt in Dublin. The witness also heard them say, "that they had no idea as to French relief, but would make it good themselves." In answer to a question from the Court, the witness said that he gave information of the circumstance deposed in his evi-

dence, the next morning, to Mr. Ormsby in Thomas-street, to whom he was Steward.

Serjeant Thomas Rice proved the Proclamation of the Provisional Government, found in the depot.

Colonel Spencer Thomas Vassal being sworn, deposed that he was field officer of the day on the 23d of July; that having gone to the depot in Marshal-lane, he found there several small proclamations addressed to the citizens of Dublin, and which were quite wet. He identified one of them. The witness also identified the desk which the prisoner used in the depot. Having remained about a quarter of an hour in the depot, he committed to Major Greeville the care of its contents.

Questioned by the Court. The witness said that he visited the depot between three and four o'clock on Sunday morning, it having been much advanced in daylight before he was suffered to go his rounds.

Alderman Frederick Darley sworn. Proved having found in the depot a paper directed to "Robert Ellis, Butterfield." Also a paper entitled a "Treatise on the Art of War." The latter had been handed, at the time, to Capt. Evelyn.

Captain Henry Evelyn sworn. Deposed having been at the rebel depot on the morning of Sunday, the 23d of July, to see the things removed to the barracks, and that he found a paper there, which, being shewn to him, he identified. This paper was a manuscript draft of the greater part of the Proclamation of the Provisional Government, altered and interlined in a great many places.

Robert Lindsay, a soldier, and Michael Clement Frayne, quarter-master-sergeant of the 38th regiment, proved the conveyance of the desk (then in court) to the barracks; and the latter identified a letter which he found therein. The letter was signed, "Thomas Addis Emmett," and directed to "Mrs. Emmett, Mil-town, Dublin," and began with, "My dearest Robert." It bore a foreign post-mark.

Edward Wilson, Esq. recollected the explosion of gunpowder which took place in Patrick street, previous to the 23d of July: it took place on the 16th. He went there and found an apparatus for making gunpowder—was certain that it was gunpowder exploded. Proved the existence of a rebellious insurrection, as did also Lient. Brady. The latter added, that on examination of the pikes which he found in

Thomas-street, four were stained with blood on the iron part, and on one or two of them, the blood extended half way up the handle.

John Doyle, a farmer, being sworn, deposed to the following effect :—That on the morning of the 26th of July last, about two o'clock, a party of people came to his house at Ballymace, in the parish of Tallaght, seven miles from Dublin. He had been after drinking, and was heavy asleep; they came to his bedside, and stirred and called him, but he did not awake at once; when he did, and looked up, he lay closer than before: they desired him to take some spirits, which he refused; they then moved him to the middle of the bed and two of them lay down, one on each side of him. One of them said, "You have a French General and a French Colonel beside you, what you never had before." For some hours the witness lay between asleep and awake. When he found his companions asleep, he stole out of the bed, and found in the room some blunderbusses, a gun, and some pistols. The number of blunderbusses he believed were equal to the number of persons, who, on being collected at breakfast, amounted to fourteen. Here he

identified the prisoner as one of those who were in bed with him.

The witness then further stated that the prisoner, on going away in the evening, put on a coat with a great deal of lace and tassels, (as he expressed it.) There was another person in a similar dress; they wore, on their departure, great coats over these. The party left his house between eight and nine o'clock in the evening, and proceeded up the hill. The next morning, the witness found, under the table on which they breakfasted, one of the small printed proclamations, which he gave to John Robinson, the barony constable.

Rose Bagnal, residing at Ballynascorney, about a mile further up the hill from Doyle's, proved that a party of men, fifteen in number, and whom she described similar to that of the preceding witness, came to her house on the night of the Tuesday immediately after the insurrection. Three of them wore green clothes, ornamented with something yellow—she was so frightened she could not distinguish exactly. One of them was called a general. She was not enabled to identify any of them. They left her house about 9 o'clock on the following night.

John Robinson, constable of the barony of Upper Cross, corroborated the testimony of the witness Doyle, relative to the small proclamation, which he identified.

Joseph Palmer sworn. Deposed that he was clerk to Mr. Colville, and lodged at his mother's house, Harold's-cross. He recollected the apprehension of the prisoner, at his mother's house, by Major Sirr, and that he did lodge there the preceding spring, at which time, and when he was arrested, he went by the name of Hewit. The prisoner came to lodge there the second time about three weeks before this last time, and was habited in a brown coat, white waiscoat, white pantaloons, Hessian boots, and a black frock. Those who visited the prisoner enquired for him by the name of Hewit. At the time he was arrested there was a lable on the door of the house, expressive of its inhabitants. It was written by the witness, but the name of the prisoner was omitted, at his request, because he said he was afraid government would take him up.

The prisoner, in different conversations with the witness, explained why he feared to be taken up. He acknowledged that he had been in

Thomas-street, on the night of the 23d of July, and described the dress he wore on that occasion, part of which were the waistcoat, pantaloons, and boots already mentioned, and particularly his coat, which he said was a very handsome uniform. The prisoner had also a conversation with the witness about a magazine, and expressed much regret at the loss of the powder in the dépôt. The proclamations were likewise mentioned by the prisoner, and he planned a mode of escape, in the event of any attempt to arrest him, by going through the parlor window into the back house, and from thence into the fields. Here the witness was shown a paper, found upon a chair in the room in which the prisoner lodged, and asked if he knew whose hand-writing it was? He replied that he did not know, but was certain that it had not been written by any of his family, and that there was no lodger in the house besides the prisoner.

The examination of this witness being closed, extracts from the proclamation, (vide the Attorney General's statement) addressed to the Citizens of Dublin, were read.

Major Henry Charles Sirr, examined. De-

posed to the arrest of the prisoner as follows:

"I went on the 25th of August, to the house of one Palmer. I had heard there was a stranger in the back parlor. I rode, accompanied by a man on foot; I desired the man to knock at the door—he did, and it was opened by a girl. I alighted, and ran in directly to the back parlor—I saw the prisoner sitting at dinner; the woman of the house was there, and the girl who opened the door was the daughter of the woman of the house. I desired them to withdraw. I asked the prisoner his name, he told me his name was Cunningham. I gave him in charge to the man who accompanied me, and went into the next room to ask the woman and her daughter about him; they told me his name was Hewit; I went back and asked him how long he had been there? He said he came that morning. He had attempted to escape before I returned, for he was bloody and the man said he knocked him down with a pistol. I then went to Mrs. Palmer, who said he had lodged there for a month; I then judged he was some person of importance. When I first went in, there was

a paper on the chair,* which I put into my pocket; I then went to the canal bridge for a guard, having desired them to be in readiness as I passed; I planted a sentry over him, and desired the non-commissioned officer to surround the house with sentries, while I searched it; I then examined Mrs. Palmer, and took down her account of the prisoner, during which

* That paper was as follows:

"It may appear strange, that a person avowing himself to be an enemy of the present Government, and engaged in a conspiracy for its overthrow, should presume to suggest an opinion to that Government on any part of its conduct, or could hope that advice coming from such authority, might be received with attention. The writer of this, however, does not mean to offer an opinion on any point, on which he must of necessity, feel differently from any of those whom he addresses, and on which, therefore, his conduct might be doubted. His intention is to confine himself entirely to those points on which, however widely he may differ from them in others, he has no hesitation in declaring, that, as a man, he feels the same interest with the merciful part, and as an Irishman, with at least the English part of the present administration; and at the same time to communicate to them in the most precise terms, that line of conduct which he may hereafter be compelled to adopt, and which however painful it must, under any circumstances be, would become doubly so if he was not conscious of having tried to avoid it by the most distinct notification. On the two first of these points, it is not the intention of the undersigned for the reason he has already mentioned to do more than state, what government itself must acknowledge—that of the present conspiracy it knows (comparatively speaking) nothing. That instead of creating terror in its enemies, or confidence in its friends, it will only serve by the scantiness of its information, to furnish additional grounds of invective to those who are but too ready to censure it for a want of intelligence, which no sagacity

time I heard a noise as if an escape was attempted : I instantly ran to the back part of the house, as the most likely part for him to get out at. I saw him going off, and ordered a sentinel not to fire, and then pursued myself ; regardless of my order, the sentinel snapped,

could have enabled them to obtain. That if it was not able to terrify by a display of its discoveries, it cannot hope to crush by the weight of its punishments. Is it only now we are to learn, that entering into conspiracy exposes us to be hanged? Are the scattered instances which will now be brought forward necessary to exemplify the statute? If the numerous and striking examples which have already preceded, were insufficient—if government can neither by novelty of punishment, nor the multitude of its victims, impress us with terror, can it hope to injure the body of a conspiracy so impenetrably woven as the present, by cutting off a few threads from the end of it.

"That with respect to the second point, no system however it may change the nature, can affect the period of the contest that is to take place; as to which the exertions of United Irishmen will be guided only by their own opinion of the eligibility of the moment for effecting the emancipation of their country.

"That administration....."

The following paper was found in the depot, in Emmett's hand-writing:

"I have little time to look at the thousand difficulties which still lie between me and the completion of my wishes, that those difficulties will likewise disappear I have ardent, and I trust, rational hopes ; but if it is not to be the case, I thank God for having gifted me with a sanguine disposition. To that disposition I run from reflection, and if my hopes are without foundation—if a precipice is opening under my feet, from which duty will not suffer me to run back, I am grateful for that sanguine disposition, which leads me to the brink and throws me down, while my eyes are still raised to visions of happiness, that my fancy formed in the air."

but his musket did not go off. I overtook the prisoner and he said, "I surrender." I searched him, and found some papers upon him.

"On the witness expressing concern at the necessity of the prisoner's being treated so roughly, he (the prisoner) observed, that "All was fair in war." The prisoner, when brought to the castle, acknowledged that his name was Emmett."

Here the case closed on the part of the Crown, and Mr. Emmett having, as before stated, declined to produce any witnesses, or defence by counsel, an argument arose between Mr. McNALLY and Mr. PLUNKETT, as to the latter's right to reply to evidence, when no defence had been made. Lord Norbury said, that the counsel for the prisoner could not by their silence preclude the crown from that right, and therefore decided in favor of Mr. Plunkett.

Mr. Plunkett then addressed the Court to a considerable length, and in the severest tone of legal and political asperity, detailed the consequences that would affect all social order, were such opinions as Emmett entertained allowed to have any countenance from the mildness of the laws, or the mistaken lenity, which is often exercised by the authority vested in the sacred person of his majesty.

How different this language from that used by this same Mr. Plunkett in the Union debate years before. He then used such language as the following; which Mr. Emmett often read with a kindling eye, throbbing heart and burning cheek, and to which he evidently alluded in his memorable defence :

“Sir,” said Mr. Plunkett on the Union debate, “I thank the administration for this measure. They are, without intending it, putting an end to our dissensions. Through the black cloud which they have collected over us, I see the light breaking in upon this unfortunate country. They have composed our dissensions, not by fomenting the embers of a lingering and subdued rebellion—not by hallooing Protestant against Catholic,* and Catholic against Protestant—not by committing the North against the South—not by inconsistent appeals to local or party prejudices—no!—but by the avowal of this atrocious conspiracy against the liberties of Ireland, they have subdued every petty and substantive distinction; they united every rank and description of men by the pressure of this grand and momentous subject; and I tell them that they will see every honorable and independent man

in Ireland rally around the Constitution, and merge every other consideration in opposition to this ungenerous and odious measure. *For my part I will resist it to the last gasp of my existence, and with the last drop of my blood; and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar, and swear them to eternal hostility against the invaders of their country's freedom.* Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I should be proud to think my name should be handed down to posterity in the same roll of those disinterested patriots who have successfully resisted the enemies of their country—successfully, I trust it will be. In all events, I have my exceeding great reward. I shall bear in my heart the consciousness of having done my duty; and in the hour of death I shall not be haunted by the reflection of having basely sold or meanly abandoned the liberties of my country—my native land. Can any man who gave his vote on the other side lay his hand upon his heart and make the same declaration? I hope so: it will be well for his own peace. The indignation and abhorrence of his countrymen

will not accompany him through, and the curses of his children will not follow him to his grave. I, in the most express terms, deny the competency of Parliament to do this act. I warn you, do not lay your hands on the Constitution. I tell you that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it."

How poorly did Mr. Plunkett carry out these brave declarations. We shall see. Here at the trial of ROBERT EMMETT, we find him making an unnecessary speech against a noble hearted countryman, who had followed in the path he had pointed out. Yes, this great man, who was to imitate Amilcar of old, is in a few years bought over by British gold—and is found reposing calmly beneath the foliage of old Connaught—ex-chancellor, ex-chief justice, *peer of England*. We need say nothing of his only two sons that ever touched "the altar," one of them a bishop; and least of all to the remainder of the family, abjuring in the sunshine of the Saxon sway, all oaths save those of office and allegiance to the Crown of Great Britain.

But to return to the trial. Lord Norbury charged the jury, minutely recapitulating the

quite for him
 whole evidence, and explained the law. He evidently showed a disposition to give Mr. Emmett no quarter. Well and truly does Mr. E. show him up in his speech, which we shall give in its place.

The jury, without leaving their box, pronounced the prisoner—"Guilty."

"The last sad and interesting scene in Court has been variously reported, but always received with interest. We subjoin the following report of it, from Dr. Madden's "United Irishmen:"

"The Clerk of the Crown then, in the usual form, addressed the prisoner in these words: 'What have you to say why judgment of death and execution should not be awarded against you according to law?'"

Mr. Emmett, standing forward in the dock, in front of the bench, said:—

My Lords:—I am asked, what have I to say why sentence of death should not be pronounced on me, according to law? I have nothing to say that can alter your predetermination, nor that it will become me to say, with any view to the mitigation of that sentence which you are to pronounce, and I must abide by. But I have that to say which interests me

more than life, and which you have labored (as was necessarily your office in the present circumstances of this oppressed country) to destroy—I have much to say, why my reputation should be rescued from the load of false accusation and calumny which has been heaped upon it. I do not imagine that, seated where you are, your minds can be so free from impurity, as to receive the least impression from what I am going to utter. I have no hopes that I can anchor my character in the breasts of a Court constituted and trammelled as this is. I only wish, and it is the utmost I expect, that your Lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds some more hospitable harbor to shelter it from the storm by which it is at present buffeted.

Were I only to suffer death, after being adjudged guilty by your tribunal, I should bow in silence, and meet the fate that awaits me without a murmur; but the sentence of the law which delivers my body to the executioner, will, through the ministry of that law, labor in its own vindication, to consign my character to obloquy; for there must be guilt somewhere: whether in the sentence of the

✓ Court or in the catastrophe, posterity must determine. A man in my situation, my Lords, has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice; the man dies, but his memory lives; that mine may not perish—that it may live in the respect of my countrymen—I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port—when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field, in defence of their country and of virtue, this is my hope—I wish that my memory and name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government, which upholds its dominion by blasphemy of the Most High; which displays its power over man as over the beasts of the forest; which sets man upon his brother, and lifts his hand in the name of God, against the throat of his fellow, who believes or doubts a little more than the Government standard—a Government steeled to barbarity by the cries of

Extr.

Emmett

the orphans and the tears of the widows which it has made.) ✓

[Here Lord Norbury interrupted Mr. Emmett—saying, that the mean and wicked enthusiasts who felt as he did, were not equal to the accomplishment of their wild design.]

I appeal to the immaculate God—I swear by the throne of Heaven, before which I must shortly appear—by the blood of the murdered patriots who have gone before me, that my conduct has been, through all this peril and through all my purposes, governed only by the convictions which I have uttered, and by no other view than that of their cure, and the emancipation of my country from the superhuman oppression under which she has so long and too patiently travailed; and I confidently and assuredly hope that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noblest enterprise. *et al.*

Of this I speak with the confidence of intimate knowledge, and with the consolation that appertains to that confidence. Think not, my Lords, I say this for the petty gratification of giving you a transitory uneasiness; a man who never yet raised his voice to assert a lie,

will not hazard his character with posterity by asserting a falsehood on a subject so important to his country, and on an occasion like this. Yes, my Lords, a man who does not wish to have his epitaph written until his country is liberated, will not leave a weapon in the power of envy, nor a pretence to impeach the probity which he means to preserve even in the grave to which tyranny consigns him.

[Here he was again interrupted by the Court.]

Again, I say, that what I have spoken was not intended for your Lordships, whose situation I commiserate rather than envy—my expressions were for my countrymen—if there is a true Irishman present, let my last words cheer him in the hour of affliction.

[Here he was again interrupted; Lord Norbury said he did not sit there to hear treason.]

I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law; I have also understood that judges sometimes think it their duty to hear with patience, and to speak with humanity; to exhort the victim of the laws, and to offer, with tender benign-

nity, his opinion of the motives by which he was actuated in the crime of which he was adjudged guilty. That a judge has thought it his duty so to have done, I have no doubt; but where is the boasted freedom of your institutions—where is the vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not your justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated.

My Lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the proposed ignominy of the scaffold—but worse to me than the proposed shame or the scaffold's terrors, would be the shame of such foul and unfounded imputations as have been laid against me in this court. You, my Lord, are a Judge; I am the supposed culprit; I am a man; you are a man also; by a revolution of power, we might change places, though we never could change characters. If I stand at the bar of this court and dare not vindicate my character, what a farce is your justice! If I stand at this bar, and dare not vindicate my

character, how dare you calumniate it? Does the sentence of death, which your unhallowed policy inflicts upon my body, also condemn my tongue to silence, and my reputation to reproach? Your executioner may abridge the period of my existence, but whilst I exist I shall not forbear to vindicate my character and my motives from your aspersions; and as a man to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honour and love, and for whom I am proud to perish.

“As men, my Lords, we must appear on the great day at one common tribunal and it will then remain for the Searcher of all hearts to show a collective universe, who was engaged in the most virtuous actions or actuated by the purest motive—my country’s oppressors, or—

[Here he was again interrupted, and told to listen to the sentence of the law.]

“My Lords, will a dying man be denied the legal privilege of exculpating himself, in the eyes of the community, of an undeserved reproach thrown upon him during the trial, by charging him with ambition, and attempting to

cast away, for a paltry consideration, the liberties of his country? Why did your Lordships insult me? or rather, why insult justice, in demanding of me why sentence of death should not be pronounced against me? I know, my Lord, that form prescribes that you should ask the question—the form also implies the right of answering. This, no doubt, may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the Castle, before your jury was empannelled. Your Lordships are but the priests of the Oracle, and I submit—but I insist on the whole of the forms.

[Here Mr. Emmett paused, and the Court desired him to proceed.]

“I am charged with being an emissary of France. An emissary of France! and for what end? It is alleged that I wished to sell the independence of my country! and for what end? Was this the object of my ambition? and is this the mode by which a tribunal of justice reconciles contradictions? No! I am no emissary; and my ambition was to hold a place among the deliverers of my country—not in power, nor in profit, but in the glory of the achievement. Sell my country's independ-

Emmett

ence to France! and for what? Was it for a change of masters? No, but for ambition! O, my country! was it personal ambition that could influence me? Had it been the soul of my actions, could I not by my education and fortune—by the rank and consideration of my family, have placed myself among the proudest of my country's oppressors? My country was my idol; to it I sacrificed every selfish—every endearing sentiment—and for it I now offer up my life. O, God! No! my Lord; I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny, and the more galling yoke of a domestic faction, which is its joint partner and perpetrator in the patricide, for the ignominy of existing with an exterior of splendor and a conscious depravity: it was the wish of my heart to extricate my country from this doubly-rivettèd despotism. I wished to place her independence beyond the reach of any power on earth—I wished to exalt her to that proud station in the world.

“Connection with France was, indeed, intended—but only as far as mutual interest would sanction or require. Were they to assume any authority inconsistent with the pr-

rest independence, it would be the signal for their destruction; we sought aid, and we sought it as we had assurance we should obtain it—as auxiliaries in war, and allies in peace.

“Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes, my countrymen, I would meet them on the beach, with a sword in one hand and a torch in the other; I would meet them with all the destructive fury of war, and I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass before them, and the last entrenchment of liberty should be my grave. | What I could not do myself, if I should fall, I would leave as a last charge to my countrymen to accomplish, because I should feel conscious that life, any more than death, is unprofitable when a foreign nation holds my country in subjection | — quite

“But it was not as an enemy that the succours of France were to land. I looked, indeed, for the assistance of France; but I wish-

ed to prove to France and to the world, that Irishmen deserved to be assisted; that they were indignant at slavery, and ready to assert the independence and liberty of their country.

"I wished to procure for my country the guarantee which Washington procured for America. To procure an aid which, by its example, would be as important as its valour—disciplined, gallant, pregnant with science and experience; who would preserve the good, and polish the rough points of our character; they would come to us as strangers and leave us as friends, after sharing our perils and elevating our destiny. These were my objects—not to receive new taskmasters, but to expel old tyrants; these were my views, and these only became Irishmen. It was for these ends I sought aid from France, because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

[Here he was interrupted by the Court.]

"I have been charged with that importance in the efforts to emancipate my country, as to be considered the keystone of the combination of Irishmen, or as your Lordship expressed it, "the life and blood of the conspiracy." You

do me honour over much ; you have given to the subaltern all the credit of a superior. There are men engaged in this conspiracy, who are not only superior to me, but even to your own conceptions of yourself, my Lord, before the splendor of whose genius and virtues I should bow with respectful deference, and who would think themselves dishonoured to be called your friend, and who would not disgrace themselves by shaking your blood-stained hand.

[Here he was again interrupted.]

“What, my Lord ! shall you tell me, on the passage to that scaffold, which that tyranny (of which you are only the intermediary executioner) has erected for my murder, that I am accountable for all the blood that has and will be shed in this struggle of the oppressed against the oppressor—shall you tell me this, and shall I be so very a slave as not to repel it ?

“I do not fear to approach the Omnipotent Judge, to answer for the conduct of my whole life, and am I to be appalled and falsified by a mere remnant of mortality here ! (By you, too, who, if it were possible to collect all the innocent blood that you have caused to be shed, in your unhallowed ministry, into one great reservoir, your Lordship might swim in it.)

Emmet

[*Here the Judge interfered.*]

“Let no man dare, when I am dead, to charge me with dishonour; let no man attain to my memory, by believing that I could have engaged in any cause but of my country’s liberty and independence, or that I became the pliant minion of power, in the oppression of the miseries of my countrymen. The proclamation of the Provisional Government speaks for our views; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad; I would not have submitted to a foreign oppressor for the same reason that I would resist the present domestic oppressor. In the dignity of freedom, I would have fought on the threshold of my country, and its enemy should only enter by passing over my lifeless corpse. And am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor, and the bondage of the grave, only to give my countrymen their rights and my country her independence—am I to be loaded with calumny, and not suffered to resent or repel it? No, God forbid!

[*Here Lord Norbury told Mr. Emmett that*

his sentiments and language disgraced his family and education, but more particularly his father, Dr. Emmett, who was a man, if alive, that would not countenance such opinions.]

“If the spirits of the illustrious dead participate in the concerns and cares of those who are dear to them in this transitory life—O ever dear and venerated shade of my departed Father, look down with scrutiny upon the conduct of your suffering son; and see if I have, even for a moment, deviated from those principles of morality and patriotism which it was your care to instil into my youthful mind, and for which I am now to offer up my life.

“My Lords, you are impatient for the sacrifice—the blood which you seek is not congealed by the artificial terrors that surround your victim; it circulates warmly and unruffled through the channels which God created for nobler purposes, but which you are bent to destroy, for purposes so grievous, that they cry to Heaven. Be ye patient! I have but a few words more to say. I am going to my cold and silent grave: my lamp of life is nearly extinguished: my race is run: the grave opens to receive me, and I sink into its bosom! I have

but one request to ask at my departure from this world ; it is the charity of its silence!

Let no man write my epitaph ; for as no man who knows my motives dare now vindicate them, let not prejudice or ignorance asperse them. Let them and me repose in obscurity and peace, and my tomb remain uninscribed, until other times, and other men can do justice to my character. When my country takes her place among the nations of the earth—then, and not till then—let my epitaph be written.

I HAVE DONE.

PART VI.

Emmett after his Conviction—Letter to Richard Curran—
Parting interview with Miss Curran—His death.

THE unfortunate young man retired from the hall of his mock-trial to his dungeon—showing the same firmness that ever characterized him. He felt that he had made an honest effort to save his country from oppression, and that in so doing he had made a martyr of himself. Soon he was led to the scaffold—indeed his enemies were so eager for the blood of their victim, that he was executed on the day following his trial.

The following is a copy of his letter to RICHARD CURRAN, the brother of his betrothed:

“My dearest Richard:—I find I have but a few hours to live, but if it was the last moment, and that the power of utterance was leaving me, I would thank you from the bottom of my heart for your generous expressions of affection and forgiveness to me. If there was any one in the world in whose breast my death may be supposed not to stifle every spark of resentment, it might be you. I have deeply injured you—I have injured the happiness of

a sister that you love, and who was formed to give happiness to every one about her, instead of having her own mind a prey to affliction. Oh! Richard, I have no excuse to offer, but that I meant the reverse: I intended as much happiness for Sarah as the most ardent love could have given her. I never did tell you how much I idolized her: it was not with a wild or unfounded passion, but it was an attachment increasing every hour, from an admiration of the purity of her mind, and respect for her talents. I did dwell in secret upon the prospect of our union. I did hope that success, while it afforded the opportunity of our union, might be the means of confirming an attachment, which misfortune had called forth. I did not look to honors for myself; praise I would have asked from the lips of no man; but I would have wished to read in the glow of Sarah's countenance, that her husband was respected.

“My love, Sarah! it was not thus that I thought to have requited your affections. I did hope to be a prop round which your affections might have hung, and which would never have been shaken, but a rude blast has snapped it, and they have fallen over a grave.

"This is no time for affliction. I have had public motives to sustain my mind, and I have not suffered it to sink: but there have been moments in my imprisonment when my mind was so sunk by grief on her account, that death would have been a refuge.

"God bless you, my dearest Richard. I am obliged to leave off immediately.

ROBERT EMMETT."

This letter was written at twelve o'clock on the day of Mr. Emmett's execution, and the firmness and regularity of the original handwriting contains a striking and affecting proof of the little influence which the approaching event exerted over his frame. The same enthusiasm which allured him to his destiny, enabled him to support its utmost rigour. He met his fate with unostentatious fortitude; and although few will be found bold enough to justify his projects, since they were unsuccessful, yet his youth, his talents, the great respectability of his connections, and the evident delusion of which he was the victim, have excited more general sympathy for his unfortunate end, and more forbearance towards his memory, than is usually extended to the errors or sufferings of political offenders.

What brought forth this wonderful effort of a young gentleman, unaided and unsupported by any rational system of organization, uncoun-tenanced but by the humblest men in society, relying on his own great energies, and the thousand circumstances which chance might throw up on the surface of the political ocean? What animated the mind and spirit of Emmett, night after night, and day after day? What? His enemies will say it was ambition, a hope of personal aggrandizement, and a speculation of personal exaltation, a sanguinary purpose to raise himself on the ruins of all that was respected and cherished in society. To such enemies we will reply that, if ever an enthusiast was animated with a pure and unadulterated sentiment of the most disinterested anxiety for the freedom of his native country—if ever there was a human being who was ready to lay down his life for the comfort and happiness of his fellow-creatures—if ever there was a heart that sincerely sympathised with the sufferings of mankind, or that would cheerfully devote itself at the altar, if such a sacrifice could procure the liberty of Ireland—ROBERT EMMETT was that man.

With an intellect of the highest order, elo-

quence powerful, commanding, and inexhaustible ; an integrity which no force could bend ; a spirit which no danger or suffering could intimidate ; born of parents who were the pride and boast of their country ; the brother of those men who in the birthday of Ireland's freedom, illuminated the political firmament, and gave their country a hope that her freedom would be immortal ; the witness of her fall, and the spectator of her degradation, he gave himself up to the dreams of his own imagination, and thought he saw the liberties of his country achieved before he had formed his plan to secure them. With all the customary characteristics of an enthusiast, he seemed to disdain those humble calculations by which all human objects are to be obtained. But Emmett achieved what no other man but himself would have dared to attempt. With his single mind, and his single arm, he organized thousands of his countrymen, and besieged the government of the country in their strongest position.

The evening before his death, Miss Curran was admitted into his dungeon to bid him her eternal farewell. He was leaning in a melancholy mood against the window of the prison, and the heavy clanking of his chains smote

dismally on her heart. The interview was bitterly affecting, and melted even the callous soul of the jailer. As for Emmett himself, he wept, and spoke little; but as he pressed his beloved in silence to his heart, his countenance betrayed his emotions. In a low voice, half choked by anguish, he besought her not to forget him; he reminded her of their former happiness, of the long past days of their childhood, and concluded by requesting her sometimes to visit the scenes where their infancy was spent, and though the world might repeat his name with scorn, to cling to his memory with affection. In parting, she turned round, as if to gaze once more on her widowed love. He caught her eye as she retired—it was but for a moment—and as the door closed on him, it informed her too surely that they had met for the last time on earth, but that they should meet in a better world, where man could not separate them.

Previous to his execution, as the governor was going his rounds, he entered Emmett's room rather abruptly, and observing a remarkable expression in his countenance, he apologized for the interruption. He had a fork affixed to his little deal table, and appended to

it there was a tress of hair. 'You see,' said he to his keeper, 'how innocently I have been occupied: this little tress has been long dear to me, and I am plaiting it to wear in my bosom on the day of my execution.' On the day of that fatal event, there was found, sketched by his own hand with a pen and ink, upon that very table, an admirable likeness of himself, the head severed from the body which lay near it, surrounded by the scaffold, the axe and all the paraphernalia of a high treason execution. What a strange union of tenderness, enthusiasm and fortitude, do not the above traits of character exhibit! His fortitude indeed, never forsook him; on the night previous to his death, he slept as soundly as ever; and when the fatal morning dawned, he arose, knelt down and prayed, ordered some milk, which he drank, wrote two letters, (one to his brother in America, and the other to the secretary of state, inclosing it,) and then desired the sheriffs to be informed that he was ready. When they came to his room, he said he had two requests to make: one, that his arms might be left as loose as possible, which was humanely acceded to. "I make the other," said he, "not under any idea that it can be granted, but that it may

be held in remembrance that I have made it : it is, that I may be permitted to die in my uniform.* This, of course, was not allowed him ; and the request seemed to have no other object than to show that he gloried in the cause for which he was to suffer. A remarkable example of his power, both over himself and others, occurred at this melancholy moment. He was passing out, attended by the sheriffs and preceded by the executioner ; in one of the passages stood the turnkey who had been personally assigned to him during his imprisonment : this poor fellow loved him in his heart, and the tears were streaming from his eyes in torrents. Emmett paused for a moment ; his hands were not at liberty—he kissed his cheek—and the man who had been for years the attendant of a dungeon, habituated to scenes of horror, and hardened against their operation, fell senseless at his feet. Before his eyes had opened again upon this world, those of the youthful sufferer had closed forever!

Mr. Emmett was executed on the day following that of his sentence, in Thomas-street, at the head of Bridgefoot Street, opposite Catherine's church.

* The rebel uniform of Ireland was *green*.

ROBERT EMMETT, the lofty-minded patriot—the amiable enthusiast—the warm-hearted friend, and ardent lover, is no more! The hand of the executioner extinguished the fire and energy of that soul, which burned for his country's good; and that tongue, of the purest and sublimest eloquence, is now forever mute.

He died as he lived, with heroic fearlessness, and decent fortitude. The amiable, though enthusiastic Emmett, however, we hope, has not died in vain; our rulers must learn from his history that a people without confidence is a moral Hydra, never to be deprived of the means of doing mischief. The head of one rebellion is no sooner lopped off, than another is generated. The Hercules, who is to annihilate the monster, can only be found in those acts of wisdom and justice, which are to reconcile the people to their rulers, by making them freemen.

The fate of ROBERT EMMETT demanded something more than tears, and unprofitable as these may have been, we have continued to offer them still to his memory. But let our private sorrows pass; history one day will do him justice; we have thrown our mite in the scale in which his reputation yet trembles; and, inade-

quate as that may be, it is sincere and impartial. All ye who knew him in "his hour of pride" go and do likewise.

Speaking of Mr. Emmett, Chas. Phillips, Esq., a distinguished Irish lawyer, says :

"Upon his character, of course, different parties will pass different opinions. Here he suffered the death of a traitor—in America his memory is as that of a martyr; and a full length portrait of him, trampling on a crown, is one of their most popular sign-posts. Of his high honor, even Mr. Curran had an exalted opinion. Speaking of him to me one day, he said: "I would have believed the word of Emmett, as soon as the oath of any one I ever knew."

Moore, in his life of Lord Edward Fitzgerald, speaking of Emmett, says: "Of this friend, notwithstanding his own dying entreaty that the world would extend to him the charity of its silence, I cannot deny myself the gratification of adding a few words, considering that at least the spirit of his wish will not be violated in them. Were I to number, indeed, the men among all I have ever known, who seemed to combine in the greatest degree pure moral worth with intellectual power, I should, among

the highest of the class, place **ROBERT EMMETT**. Wholly free from the follies and frailties of youth—though how capable he was of the most devoted passion, events afterwards proved—the pursuit of science, in which he admirably distinguished himself, seemed at the time, the only object that at all divided his attention with the enthusiasm for Irish freedom, which in him was an hereditary as well as a natural feeling, himself being the second martyr his family had given to the cause. Simple in all his habits, and with a repose of look and manner indicating but little movement within, it was only when the spring was touched that set his feelings, and through them, his intellect, in motion, that he at all rose above the level of ordinary men. On no occasion was this more peculiarly striking than in those displays of oratory with which, both in the Debating and Historical Society, he so often enchained the sympathy and attention of his young audience. No two individuals indeed could look more unlike to each other than was this same youth to himself before rising to speak and after—the brow that had appeared inanimate and almost drooping, at once elevating itself in all the consciousness of power, and the whole countenance and fig-

ure of the speaker assuming a change as of one suddenly inspired. Of his oratory, it must be recollected, (I speak from youthful impressions, but I have heard little since that appeared to me of a loftier, or what is far more rare in Irish eloquence, purer character;) and the effects it produced, as well from its own exciting power as from the susceptibility with which the audience caught up every allusion to passing events, was such as to attract seriously the attention of the fellows; and, by their desire, one of the scholars, a man of advanced standing and reputation for oratory, came to attend our debates, expressly for the purpose of answering Emmett, and endeavoring to neutralize the fervor of his impassioned eloquence. Such in heart and mind was another of the devoted men, who, with gifts that would have made them the ornaments and supports of a well-regulated community, were yet driven to live the lives of conspirators, and die the death of traitors, by a system of government which it would be difficult even to think of with patience, did we not gather a hope from the present aspect of the whole civilized world, that such a system of bigotry and misrule can never exist again."

PART VII.

Some account of Miss Curran—Her devotion to the memory of Emmett—Irving's Sketch of their love, &c.

ROMANCE nor reality, neither furnish an instance of such genuine devotion as that of Sarah Curran for Robert Emmett. She loved him and his memory, though it excluded her from the paternal roof, and compelled her to seek protection among strangers. Charles Phillips says in his new work :

“The curtain had fallen, the scaffold had its victim, and the world's idle work went on as usual, after youth and genius, and enthusiasm had thus mournfully passed away from it. But there was one young heart which Emmett's image had long made its habitation—that of “his love—Sarah.” That heart was now broken, but the image still remained amid its ruins. The sequel to her brief sad story is soon told. Her home unhappy, her father offended, her mind daily harrassed by associations reminding her of happiness forever banished, she sought a solace in the friendly family of Mr. Penrose, in the vicinity of Cork. She found there a frequent guest in the person

of a Capt. Sturgeon. This gentleman became deeply interested in her fate, and prevailed on her, in her desolation, to accept his hand, though she too truly told him her affections were *in the grave*. In a few short months she was *there* herself, having died in Sicily, broken-hearted. Her grave is in the village of New Market, her father's birth-place. Who can refuse to shed a tear o'er it? The following sweet lines of Moore commemorate her misfortunes; and it is said that when left alone, she was heard to sing them at Mr. Penrose's:

She is far from the land where her young hero sleeps,
And lovers are round her sighing;
But coldly she turns from their gaze and weeps,
For her heart in his grave is lying.

She sings the wild song of her dear native plains,
Every note which beloved awaking;
Ah! little they think who delight in her strains,
How the heart of the minstrel is breaking.

He had liv'd for his love, for his country he died,
They were all that to life had entwined him;
Nor soon shall the tears of his country be dried,
Nor long will his love stay behind him.

Oh! make her a grave where the sunbeams rest,
When they make her a glorious morrow;
They'll shine o'er her sleep, like a smile in the west,
From her own loved island of sorrow.

Captain Sturgeon, who survived her many years, died in battle in the Peninsula war. Emmett's love breathed her last a resigned and pious Christian."

Washington Irving, in his Sketch Book, pays a beautiful tribute to the memory of this unhappy pair. It is said that Lord Byron had a friend to read this sketch to him on his dying bed. Though it is rather long, we give it in full:

I never heard
Of any true affection, but 'twas nipt
With care, that like the caterpillar, eats
The leaves of spring's sweetest book, the rose.

MIDDLETON.

It is a common practice with those who have outlived the susceptibility of early feeling, or have been brought up in the gay heartlessness of dissipated life, to laugh at all love stories, and to treat the tales of romantic passion as mere fictions of novelists and poets. My observations on human nature have induced me to think otherwise. They have convinced me, that however the surface of the character may be chilled and frozen by the cares of the world, or cultivated into mere smiles by the arts of society, still there are dormant fires lurking in

the depths of the coldest bosom, which, when once enkindled, become impetuous, and are sometimes desolating in their effects. Indeed, I am a true believer in the blind deity, and go to the full extent of his doctrines. Shall I confess it? I believe in broken hearts, and the possibility of dying of disappointed love! I do not however, consider it a malady often fatal to my own sex; but I firmly believe that it withers down many a lovely woman into an early grave.

Man is the creature of interest and ambition. His nature leads him forth into the bustle and struggles of the world. Love is but the embellishment of his early life, or a song piped in the intervals of the acts. He seeks for fame, for fortune, for peace in the world's thoughts, and dominion over his fellow-men. But a woman's whole life is a history of the affections. The heart is her world; it is there her ambition strives for empire—it is there her avarice seeks for hidden treasures. She sends forth her sympathies on adventure; she embarks her whole soul in the traffic of affection: and if shipwrecked, her case is hopeless—for it is bankruptcy of the heart.

To a man, the disappointments of love may

cause some bitter pangs : it wounds some feelings of tenderness—it blasts some prospects of felicity ; but he is an active being; he may dissipate his thoughts in the whirl of varied occupation, or may plunge into the tide of pleasure ; or, if the scene of disappointment be too full of painful associations, he can shift his abode at will, and taking as it were, the wings of the morning, can “ fly to the uttermost parts of the earth, and be at rest.”

But woman's is comparatively a fixed, a secluded, and a meditative life. She is more the companion of her own thoughts and feelings ; and if they are turned to ministers of sorrow, where shall she look for conversation ? Her lot is to be wooed and won ; and if unhappy in her love, her heart is like some fortress that has been captured, and sacked and abandoned and and left desolate.

How many bright eyes grow dim—how many soft cheeks grow pale—how many lovely forms fade away into the tomb, and none can tell the cause that blighted their loveliness ! As the dove will clasp its wings to its side, and cover and conceal the arrow that is preying on its vitals—so is it the nature of woman to hide from the world the pangs of wounded affection.

The love of a delicate female is always shy and silent. Even when fortunate she scarcely breathes it to herself; but when otherwise, she buries it in the recesses of her bosom, and there lets it cower and brood among the ruins of her peace. With her the desire of her heart has failed—the great charm of existence is at end. She neglects all the cheerful exercises which gladden the spirits, quicken the pulses, and send the tide of life in healthful stream currents through the veins. Her rest is broken—the sweet refreshment of sleep is poisoned by melancholy dreams—“dry sorrows drink her blood,” until her enfeebled frame sinks under the slightest external injury. Look for her a little while, and you find friendship weeping over her untimely grave, and wondering that one, who but lately glowed with all the radiance of both health and beauty, should so speedily be brought down to “darkness and the worm.” You will be told of some wintry chill, some casual indisposition, that laid her low—but no one knows the mental malady that previously sapped her strength and made her so easy a prey to the spoiler.

She is like some tender tree, the pride and beauty of the grove; graceful in its forms,

bright in its foliage, but with the worm preying at its heart. We find it suddenly withering, when it should be most fresh and luxuriant. We see it dropping its branches, leaf by leaf, until, wasted and perished away, it falls even in the still of the forest; and as we muse over the beautiful ruin, we strive in vain to recollect the blast or thunderbolt that could have smitten it with decay.

I have seen many instances of women running to waste and self-neglect, and disappearing gradually from the earth, almost as if they had been exhaled to heaven; and have repeatedly fancied that I could trace their deaths through the various declensions of consumptions, colds, debility, langour, melancholy, until I reached the first symptom of disappointed love. But an instance of this kind was lately told me; the circumstances are well known in the country where they happened, and I shall but give them in the manner in which they were related.

Every one must recollect the tragical story of Emmett the Irish patriot—it was too touching to be soon forgotten. During the troubles in Ireland, he was tried, condemned and executed on a charge of treason. His fate made a

deep impression on public sympathy. He was so young—so intelligent—so generous—so brave; so every thing that we are apt to like in a young man. His conduct under trial, too, was so lofty and intrepid. The noble indignation with which he repelled the charge of treason against his country; the eloquent vindication of his name; and his pathetic appeal to posterity, in the hopeless hour of condemnation; all these entered deeply into every generous bosom, and even his enemies lamented the stern policy that dictated his execution.

But there was one heart whose anguish it would be impossible to describe. In happier days and fairer fortunes he had won the affections of a beautiful and interesting girl, the daughter of a late celebrated Irish barrister. She loved him with the disinterested fervor of a woman's first and early love. When every worldly maxim arrayed itself against him; when blasted in fortune, and disgrace and danger darkened around his name, she loved him the more ardently for his very sufferings. If then, his fate could awaken the sympathy even of his foes, what must have been the agony of her, whose whole soul was occupied by his image? Let those tell who have had the

portals of the tomb suddenly closed between them and the being they most loved on earth—who have sat at its threshold, as one shut out in a cold and lonely world, from whence all that was most lovely and loving had disappeared.

But then the horrors of such a grave! so frightful, so dishonored! There was nothing for memory to dwell on that could sooth the pang of separation; none of those tender, though melancholy circumstances, that endear the parting scene—nothing to melt sorrow into those blessed tears, sent like the dews of heaven, to relieve the heart in the parting hour of anguish.

To render her widowed situation more desolate, she had incurred her father's displeasure by her unfortunate attachment and was an exile from the parental roof. But could the sympathy and kind offices of friends have reached a spirit so shocked and driven in by horror, she would have experienced no want of consolation, for the Irish are a people of quick and generous sensibilities. The most delicate and cherishing attentions were paid her by families of wealth and distinction. She was led into society, and they tried by all kinds of occupation and amusement to dissipate her grief, and

wean her from the tragical story of her love. But it was all in vain. There are some strokes of calamity that scathe and search the soul—that penetrate to the vital seat of happiness; that blast it never again to put forth bud or blossom. She never objected to frequent the haunts of pleasure, but she was as much alone there, as in the depths of solitude. She walked about in a sad reverie, apparently unconscious of the world around her. She carried with her an inward wo that mocked at all the blandishments of friendship, and “heeded not the voice of the charmer, charm he never so wisely.”

The person who told me her story had seen her at a masquerade. There can be no exhibition of far-gone wretchedness more striking and painful than to meet it in such a scene. To find it wandering like a spectre, lonely and joyless, where all around is gay—to see it dressed out in the trappings of mirth, and looking so wan and wo-begone, as if it had tried in vain to cheat the poor heart into a momentary forgetfulness of sorrow. After strolling through the splendid rooms and giddy crowd with an air of utter abstraction, she sat herself down on the steps of an orchestra, and looking about

for some time with a vacant air, that showed her insensibility to the garish scene, she began with the capriciousness of a sickly heart, to warble a little plaintive air. She had an exquisite voice ; but on this occasion it was so simple, so touching—it breathed forth such a soul of wretchedness, that she drew a crowd, mute and silent, around her, and melted every one into tears.

The story of one so true and tender could not but excite interest in a country remarkable for enthusiasm. It completely won the heart of a brave officer, who paid his address to her, and thought that one so true to the dead, could not but prove affectionate to the living. She declined his attentions, for her thoughts were irrecoverably engrossed by the thoughts of her former lover. He however persisted in his suit. He solicited not her tenderness but her esteem. He was assisted by her conviction of his worth, and her sense of her own destitute and dependent situation, for she was existing on the kindness of friends. In a word, he at length succeeded in gaining her hand ; though with the solemn assurance that her heart was unalterably another's.

He took her with him to Sicily, hoping a

change of scene might wear out a memory of early woe. She was an amiable and exemplary wife, and made an effort to be a happy one; but nothing could cure the silent and devouring melancholy that had entered into her very soul. She wasted away in a slow and hopeless decline, and at length sunk into the grave, the victim of a broken heart.

The following poems have been written in commemoration of this unfortunate young lady:

MISS CURRAN.

Her sorrows are numbered—no longer she weeps,
Every pang she endured is requited;
With endless delight, and in silence she sleeps,
For in death with her love she's united.

Like Sidney he died, but his mem'ry shall live
In the bosom of those who deplored him;
And Pity her purest of dew-drops shall give
To the sorrows of those who adored him.

For he loved—was beloved—but alas! in his bloom,
The ordeal of fate here sore tried him;
And his spirit took flight from this world of gloom,
To that glory which here was denied him.

From regions of bliss—the high heavens above,
Where sorrows can never invade him,
He saw her distress, and he beckoned his love
To ascend, and with joy she obeyed him.

And she who is joined to the spirit she mourned,
Now in bliss, 'tis in vain to deplore her;
For her memory shall live in their bosoms inurned,
Who vowed even in death to adore her.

Whether hero, or lover, or else matters not,
“Other times—other men shall divine him;”
Let him rest with his love, by the world forgot,
We have hearts large enough to enshrine him.

MY EMMETT'S NO MORE.

BY THOS. MOORE.

Despair in her wild eye, a daughter of Erin,
Appeared on the cliff of a bleak rocky shore,
Loose in the winds flowed her dark streaming ringlets,
And heedless she gazed on the dread surge's roar.
Loud rang her harp in wild tones of despairing,
The time passed away with the present comparing,
And in soul-thrilling strains deeper sorrow declaring,
She sang Erin's woes, and her Emmett's no more!

"Oh, Erin! my country, your glory's departed,
For tyrants and traitors have stabbed thy heart's core,
Thy daughters have laved in the streams of affliction,
Thy patriots have fled, or are stretched in their gore.
Ruthless ruffians now prowl through thy hamlets forsaken,
From pale hungry orphans their last morsels have taken;
The screams of thy females no pity awaken;
Alas! my poor country, your Emmett's no more!

"Brave was his spirit, yet mild as the Brahmin,
His heart bled in anguish at the wrongs of the poor:
To relieve their hard sufferings he braved every danger,
The vengeance of tyrants undauntedly bore.

E'en before him the proud titled villains in power,
Were seen, though in ermine, in terror to cower,
But alas! he is gone—he has fallen, a young flower,
They have murdered my Emmett—my Emmett's no
more!"

APPENDIX.

APPENDIX.

ACCOUNT OF THE LATE PLAN OF INSURRECTION IN DUBLIN, AND THE CAUSE OF FAILURE.*

The plan was comprised under three heads—*points of attack, points of check, and lines of defence.*

The points of attack were three:—The Pigeon House, the Castle, and the Artillery Barracks at Island Bridge.

The attack was to begin with the Pigeon House, number of men 200. The place of assembly, the Strand, between Irishtown and Sandymount. The time, low water. The men to divide into two bodies: one to cross by a sand bank, between the Pigeon House and

*Annexed to the copy from which the above has been transcribed, is the following memorandum, in the handwriting of a gentleman who held a confidential situation under the Irish government—"The original of this paper was delivered on the morning just before he was brought out to execution, in order to be forwarded to his brother, Thomas Addis Emmett, at Paris."

Light House, where they were to mount the wall; the other to cross at Devonshire Wharf; both parties to detach three men with blunderbusses, and three with jointed pikes, concealed, who were to seize the sentries and gates for the rest to rush in. Another plan was formed for high water, by means of pleasure, or fishing boats, going out in the morning, one by one, and returning in the evening to the dock at the Pigeon House, where they were to land. A rocket from this was to be the signal for the other two, viz :

The castle, the number of men 200. The place of assembly, Patrick-street depot. A house in Ship-street was expected, also one near the gate. A hundred men to be armed with jointed pikes and blunderbusses, the rest to support them, and march openly with long pikes. To begin by the entrance of two job coaches, hackney coachmen, two footmen, and six persons, inside, to drive in at the upper gate into the yard, come out of the coaches, turn back and seize the guard, (or instead of one of the job coaches, a sedan going in at the same time, with two footmen, two chairmen, and one inside ;) at the same moment a person was, in case of failure, to knock at Lamprey's door,

seize it and let in others, to come down by a scaling ladder from a window on the top of the guard-house, while attacks were made at a public house in Ship-street, which has three windows commanding the guard-house, a gate in Stephen-street, another at the Aungier-street, end of Great George's-street, leading to the ordnance, another at the new houses in George's-street, leading to the riding yard, and another over a piece of a brick wall near the Palace-street gate. Scaling ladders for all these. Fire-balls, if necessary, for the guard-house of the upper gate. The Lord Lieutenant and principal officers of government, together with the bulk of artillery, to be sent off under an escort to the commander in Wicklow, in case of being obliged to retreat. I forgot to mention that the same was to be done with as much of the Pigeon House stores as could be. Another party with some artillery to come into town along the quays, and take post at Carlisle Bridge, to act according to circumstances.

Island Bridge, 400 men. Place of assembly, Quarry-hole opposite, and Burying ground. Eight men with pistols and one with a blunderbuss, to seize the sentry walking outside, seize the gates, some to rush in, seize the cannon

opposite the gate, the rest to mount on all sides by scaling ladders; on seizing this to send two cannon over the bridge facing the barrack road. Another detachment to bring cannon down James-street, another towards Rathfarnham as before. To each of the flank points, when carried, reinforcements to be sent, with horses, &c. to transport the artillery. Island Bridge only to be maintained; a false attack also thought of, after the others had been made on the rear of the barracks, and if necessary, to burn the hay stores in the rear.

Three rockets to be the signal that the attack on any part was made, and afterwards a rocket of stars in case of victory, a silent one of repulse.

Another point of attack not mentioned; Cork-street Barracks; if the officer could surprise it, and set fire to it; if not, to take post in the house (I think in Earl-street, the street at the end of Cork-street, leading to Newmarket, looking down the street with musquetry, two bodies of pikemen in Earl-street,) to the right and left of Cork-street, and concealed from troops marching in that street. Another in, I think, Marrowbone-lane, to take them in rear,

Place of assembly, fields adjacent, or Fenton fields.

POINTS OF CHECK.—The old Custom-house, 300 men, the gate to be shut or stopped with a load of straw, to be previously in the street. The other small gate to be commanded by musquetry, and the bulk of the 300 men to be distributed in Parliament-street, Crane-lane, and those streets falling into Essex-street, in order to attack them if they forced out. The jointed pikes and blunderbusses lying under great coats, rendered all these surprises unsuspected; fire balls, if necessary, and a beam of rockets.

An idea also was, if money had been got, to purchase Rafferty's cheese shop, opposite to it to make a depot and assembly; and to mine under and blow up a part of the Custom-house, and attack them in confusion, as also the Castle. The miners would have been got also to mine from a cellar into some of the streets through which the army from the barracks must march.

The assembly was at the Coal-quay.

Mary-street barracks, sixty men. A house-painter's house, and one equally removed on the opposite side, (No. 36, I believe,) whose

fire commands the iron gate of the barracks without being exposed to the fire from it, to be occupied by twenty-four blunderbusses; the remainder, pikemen, to remain near Cole's-lane or to be ready in case of rushing out to attack them. Assembly, Cole's-lane market, or else detached from Custom-house body.

The corner house of Capel-street, (it was Killy Kelley's) commanding in Ormond-quay, and Dixon, the shoemaker's (or the house beyond it,) which open suddenly on the flank of the army, without being exposed to their fire, to be occupied by blunderbusses. Assembly detached from Custom-house body.

LINES OF DEFENCE.—Beresford-street has six issues from Church-street, viz : Coleraine-street, King-street, Stirrup-lane, Mary's-lane, Pill-lane, and the Quay. These to be chained in the first instance by a body of chainmen; double chains and padlocks were deposited, and the sills of the doors marked. The blockade to be afterwards filled up; that on the Quay by bringing up the coaches from the strand, and oversetting them, together with the butchers' blocks from Ormond-market. The houses over the chains to be occupied with hand grenades, pistols and stones. Pikemen to

parade in Beresford-street, to attack instantly any person that might penetrate ; the number 200. Assembly, Smithfield depot, where were 800 pikes for reinforcements. The object was to force the troops to march towards the Castle, by the other side of the water, where the bulk of the preparations and men to receive them were.

Merchant's Quay. In case the army, after passing the Old Bridge, marched that way, Wogan's house and a Birmingham warehouse next to it to be occupied with musquetry, grenades, and stones ; also, the leather crane at the other end of the Quay ; a beam to be before the crane, lying across the Quay, to be fired at the approach of the enemy's column. A body of pikemen in Winetavern-street, instantly to rush on them in front ; another body in Cook-street to do the same, five lanes opening on their flank, and by Bride-street in their rear. Another beam in Bridge-street, in case of taking that route, and then the Cook-street body to rush out instantly in front ; a beam in Dirty-lane ; main body of pikemen in Thomas-street to rush on them instantly on firing the beam. The body on the Quay to attack on rear ; in case of repulse, Catherine's Church,

Market house, and two houses adjacent, that command that street, occupied with musquetry. Two rocket batteries near the Market house, a beam before it, body of pikemen in Swift's-alley, and that range, to rush on their flank, after the beam was fired through Thomas-court, Vicar-street, and three other issues ; the corner houses of these issues to be occupied by stones and grenades ; the entire of the other side of the street to be occupied with stones, &c. the flank of this side to be protected by a chain at James-gate, and Ghiness's drays, &c. the rear of it to be protected from Cook-street, in case the officer there failed, by chains across Rainsford-street, Crilly's-Yard, Meath-street, Ash-street, and Francis-street. The Quay body to co-operate by the issues before mentioned, (at the other side,) the chains of which would be opened by us immediately. In case of further repulse, the houses at the corner of Cutpurse-row, commanding the lanes at each side of the Market-house, the two houses in High-street, commanding that open, and the corner houses of Castle-street, commanding Skinner-row, (now Christ Church-place) to be successively occupied. In case of a final retreat, the routes to be three : Cork-street, to Templeogue, New-

street, Rathfarnham, and Camden-street department. The bridges of the Liffey to be covered six feet deep with boards full of long nails, bound down by two iron bars, with spikes eighteen inches long, driven through them into the pavement to stop a column of cavalry, or even infantry.

The whole of this plan was given up by me for the want of means, except the Castle and lines of defence, for I expected 300 Wexford men, 400 Kildare men, and 200 Wicklow, all of whom had fought before, to begin the surprises at this side of the water, and by the preparations for defence, so as to give time for the town to assemble. The county of Dublin was also to act at the instant it began—the number of Dublin people acquainted with it I understood to be 4 or 5,000. I expected 2,000 to assemble at Costigan's Mills, the grand place of assembly. The evening before, the Wicklow men failed, through their officer. The Kildare men who were to act, (particularly with me,) came in, and at five o'clock went off again from the Canal-harbour, on a report that Dublin would not act. In Dublin itself, it was given out by some treacherous or cowardly person, that it was postponed till Wednesday. The

time of assembly was from six till nine. Instead of 2,000, there was eighty men assembled, when we came to the Market-house they were diminished to eighteen or twenty. The Wexford men did assemble, I believe, to the amount promised, on the Coal-quay; but 300 men, though they might be sufficient to begin on a sudden, were not so, when government had five hours' notice by express from Kildare.

Added to this, the preparations were, from an unfortunate series of disappointments in money, unfinished, and scarcely any blunderbusses bought up.

The men who were to turn the fuzes and rammers for the beams forgót them, and went off to Kildare to bring men, and did not return till the very day. The consequence was, that all the beams were not loaded, nor mounted with wheels, nor the train-bags, of course, fastened on to explode them.

From the explosion in Patrick-street, I lost the jointed pikes which were deposited there, and the day of action was fixed on before this, and could not be changed.

I had no means of making up for their loss but by the hollow beams full of pikes, which struck me three or four days before the 23d.

From the delays in getting the materials, they were not able to set about them till the day before; the whole of that day and the next, which ought to have been spent in arrangements, was obliged to be employed in work. Even this, from the confusion occasioned by men crowding into the depot from the country, was almost impossible.

The person who had the management of the depot mixed, by accident, the slow matches that was prepared, with what was not, and all our labour went for nothing.

The fuzes for the grenades he had also laid by where he forgot them, and could not find them in the crowd.

The cramp irons could not be got in time from the smiths, to whom we could not communicate the necessity of despatch; and the scaling-ladders were not finished (but one.) Money came in at five o'clock, and the trusty men of the depot, who alone knew the town, were obliged to be sent out to buy up blunderbusses, for the people refused to act without some. To change the day was impossible, for I expected the counties to act, and feared to lose the advantage of surprise. The Kildare men were coming in for three days; and

after that it was impossible to draw back. Had I another week: had I one thousand pounds; had I one thousand men, I would have feared nothing. There was redundancy enough in any one part to have made up, if complete, for deficiency in the rest; but there was failure in all—plan, preparation, and men.

I would have given it the respectability of insurrection, but I did not uselessly wish to spill blood: I gave no signal for the rest, and they all escaped.

I arrived time enough in the country to prevent that part of it which had already gone out with one of my men, to disarm the neighborhood from proceeding. I found that by a mistake of the messenger, Wicklow would not rise that night—I sent off to prevent it from doing so the next, as it intended. It offered suppliance even after the defeat, if I wished it, but I refused. Had it risen, Wexford would have done the same. It began to assemble, but its leader kept it back till he knew the fate of Dublin. In the state Kildare was in, it would have done the same. I was repeatedly solicited by some of those who were with me to do so, but I constantly refused. The more re-

mote counties did not rise, for want of money to send them the signal agreed on.

I know how men without candour will pronounce on this failure, without knowing one of the circumstances that occasioned it. They will consider only that they predicted it; whether its failure was caused by chance, or by any of the grounds on which they made their prediction, they will not care—they will make no distinction between a prediction fulfilled and justified—they will make no compromise of errors—they will not recollect that they predicted also that no system could be formed—that no secrecy nor confidence could be restored—that no preparations could be made—that no day could be fixed, without being instantly known at the Castle; that government only waited to let the conspiracy ripen, and crush it at their pleasure; and that on these grounds only did they predict its miscarriage. The very same men that after success would have flattered, will now calumniate. The very same men, that would have made an offering of unlimited sagacity at the shrine of victory, will not now be content to take back that portion that belongs of right to themselves, but would violate the sanctuary of misfortune, and

strip her of that covering that candour would have left her.

R. E.

THEOBALD WOLFE TONE.

We are indebted for the following account of this distinguished Irish patriot, to Mr. Chas. Phillips' new work, "Curran and his Contemporaries :"

"In this mournful year an episode occurred in the professional life of Mr. Curran, highly indicative of his spirit, disinterestedness, and intrepidity—the capture and condemnation of Theobald Wolfe Tone—a very extraordinary man in very extraordinary times. The son of a coachmaker in Dublin, he was educated in Trinity College, where he distinguished himself, and was called to the Irish bar in Trinity term, 1789. With little relish originally for the law, he soon, to use his own expression, ceased to "wear a foolish wig and gown," and

applied himself devotedly to politics. At first he seems to have somewhat coqueted with the Whig party; but as he would not stoop low enough for them, and they would not go far enough for him, the overtures—for they were little more—terminated in Tone's undisguised disgust, and the permanent hostility of Mr. George Ponsonby. It was impossible, indeed, that any constitutional party in the state could have conscientiously coalesced with Tone, seeing that his objects were the separation of the countries, and the establishment of what he called Ireland's independence, in the shape of a republic. His published journals leave no doubt as to his intentions. Agent and secretary to the Catholic body, and founder of the Society of United Irishmen—that he became even more than was suspected, is clear from a little anecdote which he himself relates. A group of idlers gossiping one day in the Four Courts, Plunket, who made one of them, thought it as well to be on the look-out—a habit which grew on him. "Well, Tone, remember, all I ask of you is *Carton*"—the future chancellor modestly contenting himself with the estate of the Duke of Leinster. Tone laughingly replied, "No, no, Plunket, the duke's my friend ;

but I promise you Curraghmore." Curraghmore belonged to the Marquis of Waterford, and a Beresford stood at his elbow at the moment. Curran was one of Tone's intimates, and, according to his son, at that time participated in his political opinions. "I KNOW," says he, "that in the years 1794 and 1795, and particularly at Drogheda Assizes in the former year, and on the occasion of the trial of Bird and Hammil, where they were both employed as counsel, he opened his mind to my father; and that on the main point—on the necessity of breaking the connection with England—they agreed." Mr. Tone has not furnished us with the grounds for his knowledge. However, whatever Curran's theory might have been upon the subject, there can be no doubt he was too wise—ought I not rather to say, too sane a man?—to have, even for a moment, contemplated it as a reality. True, he loved Ireland in his heart's core, but he knew well a very problematical independence must have been waded to through her blood. Young Tone admits, indeed, that "he avoided committing himself in the councils of the United Irishmen;" and I can avouch that in his latter days no man more indignantly denounced the

agitation of which he was an unwilling witness. "It goes to my heart, Phillips," he has often said, "to see those mean, miserable *hurdy-gurdy men* grinding their discord through the country. It was on Jackson's trial, to which reference has been made, that a paper was discovered completely compromising Tone. The ardent friendship, however, of men who abhorred his politics, saved his life; indeed, the gentleness of his manners and the kindness of his nature rendered personal enmity almost impossible. Lord Clare and George Ponsonby seem alone to have entertained it. Through the interference of the Honorable Marcus Beresford! Mr. George Knox, and Wolfe, the attorney general!! he was permitted to expatriate himself. Accordingly, in the month of May, 1795, Tone, with his wife, his sister, three children, and seven hundred pounds—his whole worldly treasure—sailed for America, where he landed in the August following. It is scarcely possible to conceive any thing more desolate than his then condition. An exile from his country, an outcast from his profession, in a strange land, with heavy claims on him, and but scanty resources, it required fortitude, such as he happily, possessed, to sustain him. But his was a

heroism made to defy misfortune. The first design was to have settled down as a farmer in Princeton, New Jersey, when letters from Ireland changed all his purposes, and turned his future life almost into a fairy tale. On the eve of his expatriation, he accompanied a friend, named Russell, to bid farewell to Thomas Addis Emmett, destined so soon to follow him. "He received us," says Tone, "in a little elliptical study," which he was building at the bottom of his lawn, and which he meant to consecrate to our meetings, if ever we lived to see Ireland emancipated." It was in a small "triangular field, exactly like the one in Switzerland where Tell and his associates planned the downfall of the Tyranny of Austria," that Tone developed his plan to his companions. He told them that he did not consider his compromise with government extended farther than to the *banks of the Delaware*; and that his offence—great, no doubt—was abundantly expiated by his exile. This was mere casuistry, as it appears to me, unworthy of his character and understanding. No government, most assuredly, would have spared his life, except on the implied, if not expressed condition that it was not to be employed for the future

in compassing their destruction. The project, however, which he seriously entertained, seemed to carry on the face of it its utter impracticability. It was, apparently, as wild, as shapeless, and as visionary a phantom as ever possessed the brain of a monomaniac. This lonely and unfriended exile was to seek an introduction to the French minister in Philadelphia, to obtain from him an introduction to the French Directory in Paris, and from the Directory to obtain the invasion of Ireland! All the resources of a mighty republic—her fleets, her armies, and her treasures—were at once to become plastic in the hands of one who had not an acquaintance in the country or a guinea in the world, and whose first political experiment was a failure, followed by a banishment. Verily, the pen of Cervantes becomes rational in the comparison. Yet, strange to say, Russell and Emmett (the latter one of the ablest men in Ireland) applauded the undertaking, and in the “triangular field” the vow of the three friends was pledged never to desert the cause of their country. They kept that vow. The emissaries of sedition were not inactive: the whole north of Ireland became one mass of organized discontent; and Tone in Philadel-

phia received from his friends supplications to proceed. The whole affair seems like a romance, yet the romance was to become a reality. Impelled by the restless energies and indomitable perseverance of an expatriated refugee, France sent forth a mighty armament—the flower of her navy, and her veterans, with their hero at its head—“alone he did it.” His first step was to wait upon Citizen Adet, the resident French minister, tendering him, by way of credentials, certain complimentary certificates on vellum, which had been presented to him by the Roman Catholic committee. Adet, as might be expected, declined all communication. Tone, however, was not easily to be baffled; and on the 1st of February, 1796, he landed at Havre with Citizen Adet’s recommendation to the Directory safe in his portmanteau. On his arrival in Paris he proceeded to Monroe, the United States ambassador, and procured from him an introduction to Clarke, afterward Duc de Feltre. Nothing can be more interesting than the details in Tone’s journal, from his first interview with Carnot, the “organizer of victory,” in his “*petit costume* of white satin, with a crimson robe richly embroidered,” down to his departure on the

expedition which cost him his life. Well, indeed, did he redeem his pledge to Russell and to Emmett ; and well and truly might he exultingly describe himself as "hunted from his own country as a traitor, living obscurely in America as an exile, and received in France by the executive Directory almost as an ambassador." Despite of every species of discouragement, from poverty, jealousy, suspicion, and distrust, did this forlorn but heroic man persist, till he trode the deck of the *Indomptable*, of 80 guns, high in the command of an army numbering 15,000 choice troops, carried by a fleet of 17 sail of the line, 13 frigates, and 13 transports. Credulity is startled at this Herculean result of the efforts of one man, and he an exile, a stranger, and a pauper. Such, indeed, were his necessities, that, but a day or two before his appointment of *chef de brigade*, we find him without a shilling, obliged to Carnot for the means of subsistence. The command of this fine expedition had been confided to Hoche, at that time the hope and hero of the French nation. Töne thus relates their meeting: "I was sitting by appointment in Fleury's cabinet, when the door opened, and a very handsome, well-made young fellow, in a brown

coat and nankeen pantaloons, entered and said, 'Vous vous êtes le Citoyen Smith?' I thought he was a chef de bureau, and replied, 'Oui, citoyen, je m'appelle Smith.' He said, 'Vous vous appelez aussi, je crois, Wolfe Tone?' I replied, 'Oui, citoyen, c'est mon véritable nom.' 'Eh bien,' replied he; '*je suis le General Hoche.*' This officer, much distinguished for the pacification of La Vendée, had in him all the elements of success. 'As to Bonaparte,' said he to Tone, 'set your mind at rest. He has been my scholar, but he shall never be my master.'" The fate of this magnificent expedition is well known. Violent storms arose, which separated the fleet, only sixteen sail of which arrived in Bantry Bay, where they lay for six days within five hundred yards of the shore, without even attempting to land the army. It seems the frigate which carried Hoche was missing; and Grouchy, the second in command, refused to incur any responsibility. How strange it is that this should be the self-same officer to whose indecision Napoleon attributed his defeat at Waterloo! Referring to Bantry Bay, he afterward told Tone that he had shed tears fifty times at the recollection of the opportunity he had lost, and regretted much

that he had not taken Bouvet by the collar, and thrown him overboard the moment he raised a difficulty about landing. On the 1st of January, 1797, seven sail made the island of Ushant, being all that remained of forty-three sail which had departed from Brest. Thus terminated this formidable operation—a result manifestly attributable to that Providence to whose mercies England owes so much. Hoche, to the absence of whose frigate the failure of the expedition seems attributable, was thus characterized by Napoleon at St. Helena: “He was one of the first generals that ever France produced. He was brave, intelligent, abounding in talent, decisive, and persevering; he was *infragant* also. If Hoche had landed in Ireland, he would have succeeded. He possessed all the qualities necessary to insure success. He was accustomed to civil war, and knew how to conduct himself under such circumstances. He had pacified La Vendee, and was well adapted for Ireland. If Hoche had landed, Ireland was lost to you.”

The next expedition, in all the final arrangements of which Tone was active, was that of the *Texel*, got up by the Dutch to aid that of *Brest*. It was to have been commanded by

Daendels, a brave officer, who, on Hoche's recommendation, appointed Tone to the same rank in the Dutch which he held in the French service, that of adjutant general. The naval force consisted of fifteen sail of the line, ten frigates, and many sloops and transports. The land force amounted to thirteen thousand five hundred men, with three months' pay, and spare arms and ammunition. This expedition never sailed, owing, says Tone, quietly, to the "absence of fair winds." May it not have been to the presence of Admiral Duncan, who lay inopportunately off the mouth of the Texel? About this time, Hoche, scarcely yet in his prime, died of consumption. Such was the fate of these two memorable expeditions. It was on the 23d of May, 1798, that a portion of the Irish people, irritated, but not disheartened, burst into premature rebellion. The Egyptian expedition, under Napoleon, had sailed but a few days before, thus forestalling the flower of the French troops and navy. The indefatigable Tone instantly rushed to Paris to organize with ministers another expedition; nor was he unsuccessful. The proposed plan was to feed the Irish insurrection with minor detachments from different ports, until the main body,

amounting to nine thousand men, under General Kilmaine, himself an Irishman, could be dispatched. Had that gigantic armament, under Napoleon, sailed for Ireland instead of the East, and effected a landing there under circumstances so critical, who can calculate upon the possible consequences? Tone, who had three consultations with him on Irish affairs, thus describes the impression made on him at the first interview. "He lives in the Rue Chantierine, in the greatest simplicity: his house is small, but neat, and all the furniture and ornaments in the most classical taste. He is about five feet six inches high, slender and well made, but stoops considerably: he looks at least ten years older than he is, owing to the great fatigues he underwent in his immortal campaign of Italy. His face is that of a profound thinker, but bears no marks of that great enthusiasm and unceasing activity by which he has been so much distinguished. It is rather, to my mind, the countenance of a mathematician than of a general. He has a fine eye, and great firmness about the mouth: he speaks low and hollow." It is a curious thing, and characteristic of the sagacity of Tone, that he expresses strong suspicion as to Bonaparte's

sincerity on Irish subjects. Indeed, he goes farther still, and hints that his projects had to encounter his active though secret discountenance! Tone was right, but it was not till twenty years afterward, on the rock of St. Helena, that the reason was disclosed. "If," said Napoleon to O'Meara, "the Irish had sent over honest men to me, I would have certainly *made an attempt upon Ireland*; but I had no confidence either in the integrity or the talents of the Irish leaders that were in France. They could offer no plan, were divided in opinion, and were constantly *quarrelling with one another*." Upon Tone, however, as we shall soon see, he passed a very different judgment. The third projected expedition, under Kilmaine, was frustrated by the impatience of General Humbert. This officer, despite of all arrangements, with a few frigates, a thousand men, a thousand spare muskets, and a thousand guineas, sailed prematurely from Rochelle. He effected a landing at Killala, where, indiscreetly lingering for a fortnight, he gained a signal victory at Castlebar, and was obliged finally to surrender to an overwhelming force under Lord Cornwallis. This was on the 8th of September, 1798. The news had not

reached France, when, on the 20th of the same month, General Hardy sailed from the Baye de Camaret with three thousand soldiers. Commodore Bompard had under his command the *Hoche*, 74, eight frigates, and a schooner. The fleet was dispersed by a storm, and on the 10th of October, the *Hoche*, two frigates, and the schooner were signaled by Sir John Borlase Warren in the bay of Lough Swilly. Bompard instantly ordered the frigates and the schooner to attempt their escape through shallow water, and heroically prepared his ship for action. A boat from the schooner offered Tone the almost certainty of an escape, of which he was vainly implored by his brother officers to avail himself. "No," said he, in answer to their entreaties, "never shall it be said that I fled while the French were fighting the battles of my country. Certain death, either on the deck or the scaffold, he well knew awaited him! So it was a soldier's death, he cared not. For six hours did the gallant Bompard, in the *Hoche*, maintain a hopeless contest with four sail of the line and a frigate. "At length," says Tone, "her masts and rigging were swept away, her scuppers flowed with blood, her wounded filled the cockpit, her shattered ribs"

yawned at every new stroke, and let in five feet water in the hold, her rudder was carried away," and thus barely floating on the waters, a dismantled wreck, she struck. Honor to Bompert—honor to the brave—enemy though he be. The fate of Tone was sealed. At a breakfast given to the French officers by Lord Cavan, he was recognized. The manner of the recognition was thus—I wish it were otherwise. While seated at the table with his brother officers, an old friend and fellow-student, entering with policemen, said, "Mr. Tone, *I am very happy to see you!*" He was, of course, instantly arrested. He submitted without a murmur until they proceeded to place him in irons, when, flinging off his uniform, he indignantly exclaimed, "No! fetters shall never degrade the revered insignia of the free nation I have served. For the cause which I have embraced, however, I feel prouder to wear them than if I were decorated with the star and garter of England." On the 10th of November, 1792, he was tried in Dublin by *court-martial!* Tone admitted all the facts, and merely read an address, vindicating his motives. "Under the flag of the French Republic I originally engaged with a view to save

and liberate my own country. For that purpose I have encountered the chances of war among strangers. For that purpose I have repeatedly braved the terrors of the ocean, covered, as I knew it to be, with the triumphant fleets of that power which it was my glory and my duty to oppose. I have sacrificed my views in life; I have courted poverty; I have left a beloved wife unprotected, and children whom I adored, fatherless. After such sacrifices in a cause which I have always conscientiously considered as the cause of justice and freedom, it is no great effort at this day to add the sacrifice of my life." After the condemnation, which he made no effort to avert, he advanced one, and only one, request—that he might die a soldier's death, and "be shot by a platoon of grenadiers." "I request this indulgence," said he, "rather in consideration of the uniform which I wear—the uniform of a chef de brigade in the French army—than from any personal regard to myself." He produced his commission as chef de brigade, and of a letter of service as adjutant general, proving that his rank was *bona fide*, and not merely assumed to serve a purpose. In point of fact, he had served in the army of England, in the Batavian ar-

my, and in that of the Sambre et Meuse, under Bonaparte, Desaix, and Kilmaine. This request was refused by Lord Cornwallis, who awarded him a traitor's death within eight-and-forty hours. Of the few friends who had escaped the scaffold, the triangle, and the dungeon, could there be found none fearless enough to recognize the fallen? constitutional enough to assert the outraged dignity of the law? noble enough to forget self-interest in the struggle? Yes, there was one, and only one: Curran was still alive. Tone was to die on the 12th of November. It was now the 11th! During the whole of that day did Curran toil through Dublin, seeking among the wealthy Roman Catholics the means of retaining a bar to demonstrate the flagrant illegality of the trial! He spoke but to the winds. He could not obtain a shilling!! He then determined to proceed alone, when Peter Burrowes volunteered his assistance. On the morning of the day fixed for the execution, the moment the Court of King's Bench opened, the dauntless advocate advanced, leading Tone's aged father by the hand, who produced an affidavit that his son had been brought before a bench of officers who had sentenced him to death. The scene

at that moment passes all description—the breathless crowd, the heart-broken old man, the pure and venerable judge, and, above all, the voluntary and unrivaled advocate, the real friend—misfortune's friend—who, while all others held aloof, alone stood forward to hold the ægis of the law between injustice and its victim: to be appreciated, it must have been seen.

“I do not pretend,” began Curran, “that Mr. Tone is not guilty of the charge of which he is accused. I presume the officers were honorable men. But it is stated in this affidavit, as a solemn fact, that Mr. Tone had no commission under his majesty, and therefore no court-martial could have cognizance of any crime imputed to him while the Court of King's Bench sat in the capacity of the great criminal court of the land. In times when war was raging, when man was opposed to man in the field, courts-martial might be endured; but every law authority is with me, while I stand upon the sacred and immutable principle of the Constitution, that martial law and civil law are incompatible, and that the former must cease with the existence of the latter. This is not, however, the time for arguing this momentous

question. My client must appear in this court. He is cast for death this very day. He may be ordered for execution while I address you. I call on this court to support the law, and move for a writ of *Habeas Corpus*, to be directed to the provost marshal of the barracks and Major Sandys, to bring up the body of Tone."

Chief Justice. "Have a writ instantly prepared."

Curran. "My client may die while the writ is preparing."

Chief Justice. "Mr. Sheriff, proceed to the barracks, and acquaint the provost marshal that a writ is preparing to suspend Mr. Tone's execution, and see that he be not executed."

In a short time, the sheriff, having returned, thus addressed the court:

"My lord, I have been to the barracks in pursuance of your order. The provost marshal says he must obey Major Sandys. Major Sandys says he must obey Lord Cornwallis."

At this time Mr. Curran announced the return of Tone's Father with a message that General Craig refused to obey the writ of *Habeas Corpus*.

Chief Justice. "Mr. Sheriff, take the body of Tone into custody. Take the provost mar-

shal and Major Sandys into custody, and show the order of the court to General Craig."

It was now universally believed that the military authorities, who had thus presumed to trifle with the powers of the King's Bench, would have Tone executed on the instant. Lord Kilwarden, a great constitutional judge, was very much affected. "His agitation," said Curran, "was magnificent." It soon transpired, however, that, Tone indignant at the menaced degradation of his death, had, with a small penknife which he had managed to conceal, inflicted such a wound on his throat that he had little to fear from this world's jurisdiction. The chief justice, however, as a matter of precaution, ordered a writ to issue, suspending the execution. It is said, on the surgeon expressing an opinion that, as the carotid artery had escaped, the wound was not necessarily fatal, Tone faintly muttered, "I am sorry, then, to find that I have been so bad an anatomist." He survived, however, in silent agony, for seven days, when the same surgeon, seeing he was sinking, whispered to an attendant, "You must keep him as quiet as possible. If he speaks he dies." "I thank you, sir," said Tone, who had overheard him; "you

could not give me more welcome news. What should I wish to live for—" and expired.

Thus perished on his "bloody pallet," in a loathsome dungeon, and by his own hand, the youthful apostle of Irish independence."

"Tone was earnest, disinterested, single-minded. His patriotism did not evaporate in words. He was essentially the man of action—an enthusiast, but a practical one. No personal motive seems fairly attributable to him. If he was a suppliant, it was always for his country—never for himself. If he urged others to enterprise, he never shrank from a participation in the danger. Opposing power, he never cringed to popularity, nor substituted a mob for the monarch he rejected. For one sole object, which he mistakenly believed to be his country's good—in exile, in poverty, in privations of every kind—to the last he persevered, sacrificing all that makes life dear, and daring and enduring all that makes death terrible."

"It may not be out of place here to state that the regard in which Tone was held by the Directory was extended to his family after his death. His sons were educated at the public expense, and owed much to the active benevolence of Talleyrand. Lucien Bonaparte,

as president of the Council of Five Hundred, thus winds up the beautiful speech which he addressed to them on the subject: 'Representatives of the people! the widow, the children of Tone are before you. The law of the 14th Fructidor only allows them a pension of 300 francs. But, in that very law, the case of eminent services, rendered in the cause of liberty, is foreseen. The families of heroes are then to be relieved by a special decree of this House. I claim this special decree.' The motion was followed by the appointment of a committee, of which Joseph Bonaparte was a member. *His* nomination was a guarantee to the family that their interests were safe; a man of kinder nature never perhaps existed.

"This little sketch would scarcely be complete without the graphic account which Tone's admirable widow gives of her first interview with Napoleon. He was on his return from the hunt in the forest of St. Germain's, and was changing horses, when she presented a book and memorial to him: "He handed the book to his *ecuyer*, and opened the paper. When he began to read, he said, 'Tone I remember well.' He read it all through, and two or three times stopped, looked at me, and

bowed, in reading it. When he had finished, he said to me, 'Now speak to me of yourself.' I hesitated, for I was not prepared for that question, and took small interest in the subject. He proceeded: 'Have you a pension?' I said I had. 'Is it sufficient? Do you want any extraordinary succor?' By this time I had recovered myself, and said that his majesty's goodness left me no personal want; that all my cares, all my interest in life were centered in my child, whom I now gave up to his majesty's service. He answered, 'Be tranquil, then, on his account; be perfectly tranquil, then, concerning him.' I perceived a little half-smile when I said 'my child' (*mon enfant*.) I should have said 'my son;' I knew it but forgot. He had stopped so long that a crowd had gathered, and were crushing on, crying, '*Vive l'Empereur!*' He ordered two Napoleons a piece to be given to some old women, and women with children, and drove on. On going, he nodded to me two or three times with affectionate familiarity, saying, '*Votre enfant sera bien naturalise,*' laying a playful emphasis on the word '*enfant!*' Napoleon kept his word. He doubled the pension of Mrs. Tone, raising it to 2400 francs during her life; appointed her

son to be a scholar of the government, and ordered her expenses, on placing him at the military school, to be repaid. In the twenty-second year of his age, Tone's son was appointed a cornet in the 8th Chasseurs. He served with distinction from January, 1813, to July, 1815, when he resigned the service. At the memorable battle of Leipsic he received six lance wounds, and was promoted to a lieutenancy on the staff, appointed an aid-de-camp, and made a member of the legion of honor. He died very young, an officer in the army of the United States.

"The application for a writ of *Habeas Corpus* made by Tone's counsel may, at first view, appear to have been superfluous. But it was not so. The fatal act of the prisoner had not transpired when the motion was made, and there was a certainty that the execution would have taken place on the 12th of November. To obviate this, the motion—of the ultimate success of which there could be little doubt—was necessary. The result of a trial by jury must inevitably have been the same as that by court-martial. So far from denying his guilt, Tone denied it to be guilt, and gloried in it. What, indeed could have been

done for a man who volunteered such a boast as this: "I wish to spare the court all useless trouble. The charge against me, I presume, is, that I have been found in arms against the soldiers of the king in my native country. I admit the accusation in its most extended sense. From my earliest youth I have regarded the connection between England and Ireland as the curse of the Irish nation, and felt convinced that, while it lasted, this country could never be free or happy. As to that connection, therefore, I repeat it—all that has been imputed to me—words, writings, and actions—I here deliberately avow. I have spoken and acted with reflection, and on principle, and am ready to meet the consequences. Whatever be the sentence of the court, I am prepared for it. Its members will surely discharge their duty—I shall take care not to be wanting in mine." Acquittal, therefore, before any tribunal, was quite out of the question. Mr. Curran's object was solely to gain time. Delay must necessarily have attended a trial at law, and opportunity would thus have been afforded for foreign interference. Indeed, it has since transpired that the chiefs, both of the French and Batavian Republics, had solemnly

assured Mrs. Tone that they would instantly claim her husband; that the English officers whom they had prisoners should be held as hostages for his safety; and if they had none of the same rank, the difference should be made up in numbers. In similar circumstances Napoleon claimed Napper Tandy; the demand was acquiesced in, and Tandy was exchanged."

THE IRISH FOREMAN OF '98.

We copy the following sketches, to show the state of feeling in Ireland, during the State Trials of '98.

"GUILTY! my Lord."

The foreman of the jury trembled as he pronounced the verdict; the grave lawyers suddenly shifted on their seats and looked silently down; a quick shivering ran through the vast mass of people, and then was unheard in their piercing yells of rage; all in that court-room were agitated but the judge and the criminal.

The judge took another pinch of snuff, and settled in his seat with a heavy frown upon the prisoner. *He* glanced almost exultingly at the maddened mass around him, and then turned and defied the judge with his eye.

The Foreman trembled in the tumult, for he had heard of Irish revenge, trampling upon British gold and piercing through British steel. As he looked around he saw a spirit burning in a thousand eyes, which had not appeared to him in warning at the hour when a heavy purse was dropped into his hands. And he trembled again, for he saw that more of those wrathful eyes were fastened upon him than upon the prisoner at the bar.

He heard the angry cry for silence, the sentence of death and the noisy breaking up of the court, all as a faint and distant sound. He mechanically rose to depart, but the sheriff in surprise touched his shoulder.

"Will you not have a guard to your house?"

"Yes!" cried the Foreman, awaking, "I must have a guard!"

He hurried away, because he did not wish to meet the sheriff's eye.

Late in the second night after the trial, a squadron of dragoons clattered up to the hotel

in King street, and then stopped. A man instantly left the building and mounted a spare horse in the very middle of the troop. Not a word was spoken ; all knew their business, and swept rapidly forward at a single word from their officer. And no one cared to speak.

Two hours' quick riding brought them into the centre of a forest, whose huge black trees shut out the feeble light of a few dim stars, which had hitherto shown them their course. This melancholy darkness fell heavily upon the superstitious feelings of the dragoons, and together with a mysterious distant roaring through the still air, depressed even the lighter spirit of the officer. Almost unconsciously, and certainly without meaning it, he dropped behind and whispered to the Foreman.

"How awful this sudden wind sounds among the trees !"

"That is no wind or breeze that you hear," said the Foreman briefly. "It is the dashing of waves under the cliff of Creel au Duigh. What's that !"

A narrow stream of fire, shooting upward in swift sparkles, ran into the road directly beneath their horses' hoofs. A scattered mass of fireworks instantly exploded. Roar-

from their midst, blazing wheels cast forth a whirling shower of sparks, while fiery serpents hissed and leaped along the ground. Stricken with a sudden terror, the horses became unmanageable and broke from their ranks. A score of dark, half-naked men was seen glancing about in the scattered troop. When order was restored, the Foreman's horse alone was found riderless. The officer instantly gave the order to pursue. He might have spared himself the trouble.

The Foreman heard the loud command, but made no struggle for release from his captors. A strong grasp was upon each arm, and kept its remorseless hold, though the prisoner screamed with torture as he dragged through briars and thorns in that headlong race. And even when the sound of pursuit died away behind them, they did not slacken their steps, for their revenge was tireless, and every moment increased the sound of the waves dashing under the cliff of Creel au Duigh. No pause until an abyss yawned beneath their feet, and the Foreman looked down upon the black waters of the sea.

They tossed him down upon the rough rock, and he did not attempt to rise. The band

stood at a little distance from him. Then one stepped out from their number, and in a calm, determined voice, told the Foreman why he must die.

“ You have taken the English gold and your hand shall rot in the sea. You have spoken the perjured word, and you shall be strangled till your black tongue sticks out of your mouth. To-morrow, a true Irishman goes to his doom, and you shall creep before him like a hound as you are. His body cannot lie in holy ground, and your carcase shall be picked by the birds of the air, until it drops and is eaten by the crawling crab. Look down the cliff of Creel au Duigh. The waters below are not as black and measureless as the iniquity of your heart. You cannot wish to prepare for death. You must die now.”

The Foreman was not a coward. He had trembled in the court when he was crushed down by the revengeful looks of a thousand men, but now that death stood visibly before him, he only rose and said with firmness,—

“ Let me die quick and easily.”

“ No !” shouted the other savagely, “ no, you shall not ! You shall die *hard*, and the harder because you will know first what is the death

we have devised for you. We shall not hang you or let you drop into the sea. Either would be too merciful, and we shall do both. Do you see that long spar? There are two cords at this end. One of them shall be knotted around your neck: the second is fastened to the other end, and hangs loosely along the whole length of the stick. Your hands shall be tied behind your back, you shall be haltered and thrust out with the spar. If you would lengthen your life, cling to the loose rope with your legs as long as the devil gives you strength. Do so, and prolong your death. Now tie him, noose him, cross his feet upon the rope, thrust the spar out and may God *not* have mercy on his soul."

They did so and sat down on the crag. A light wind arose and swung the Foreman to and fro in the darkness: the cords creaked with their horrid weight; and the mad waves beneath bounded up as if yearning for the hanging wretch. They sate still and watched him.

For an hour no one dared to speak. Then one whispered to his fellow:

"Did you see his limbs shake then as if he

had the fever! How still he is,—I thought he would beg. But he dies game!”

“Silence!” cried their chief. “He dies like a traitor!”

As he spoke, the feet nervously unclasped and the Foreman swung down.

“Come, boys,” said the chief, after another interval of silence, “now let us go.”

THE IRISHMAN'S REVENGE.

During the autumn of the year 1798, half the county of Wexford was in a state of insurrection. This partial revolt, however, led to no important results; the insurgents were defeated and compelled once more to submit to the iron rod of the English government. To restrain the populace, to ferret out and inflict summary justice on the guilty, numerous detachments of soldiers were sent, who overran the whole country. One of these detachments

had established itself for several days on the little island of the Virgin, when one morning the commanding officer received a visit from one of his sergeants.

"Well, Dennis," he enquired, "what's the news?"

"They have brought in Patrick O'Darcy," replied the sergeant; "I have ordered out a platoon, and I now come to receive your honor's orders to shoot the prisoner."

"Have we a right to do so?" demanded the officer.

"With your honour's permission, I believe it is always lawful to rid ourselves of a rebel and a papist. Besides, he spent all last night away from his house, which is a sufficient crime of itself."

"Is it known where he went, and what he has been doing during the night?"

"I have heard it said that he went to see his brother the sailor, who lately arrived at Wexford; but that story is not clearly proven, and this O'Darcy does not bear too good a reputation. Shall I despatch him?"

"By my faith, Dennis," replied the officer, "since he is now in our hands we can't go

wrong, I think, in sending the fellow out of the world."

The sergeant instantly withdrew.

Left alone, the officer, reflecting on what had passed, quickly repented of having so lightly condemned to death a man who was probably innocent. Springing up, he hastened to stop the execution, but had not taken twenty steps before he heard a discharge of musketry. The next moment he found himself in the presence of the inanimate corpse of his victim. He was a young man of great size and of a handsome and interesting appearance; his clothes were such as are worn by the poor classes in Ireland. After viewing him for an instant the officer retired racked with remorse.

Among the spectators of this frightful scene was the brother of Patrick O'Darcy. The execution over, he hastened to the dwelling of the deceased's widow, uttering words of vengeance against the murderers. He had scarcely entered, when some one knocked.

"It is the priest," cried one of the children who ran to open the door.

Walking into the cottage, the man of God found the brother of Patrick O'Darcy engaged in cleaning an old pistol: the two eldest sons

of the murdered man were melting lead to run into balls. As for the poor widow she sat on a high stool near the fire, regarding with dry eyes and a vacant stare the preparations going on around her.

"Is it an assassination you intend to commit?" said the priest with severity, addressing himself to the brother of Patrick O'Darcy.

"They have killed my brother in cold blood, my innocent brother," replied the sailor, still continuing to polish the rusty weapon which he held in his hand.

"What!" said the priest, "thoughts of revenge in the heart of a Christian! Does not God forbid the shedding of blood? Leave to Him the punishment of the guilty: terrible remorse in this life, eternal suffering in the other, will do justice to the crimes committed here below."

He continued to speak for a long time in this tone. The sailor sometimes nodded his head; sometimes hazarded a brief observation. At last the words of the priest seemed to make an impression upon him; he interrupted the good man, reflected a moment and then said: "I believe, in fact, you are right; it is his conscience alone which shall avenge me. I pro-

mise you that I will not raise a hand against him."

On the evening of the same day, while the officer was in his chamber reflecting bitterly upon the event of the morning, the sergeant rushed in, his face pale as death, and his hair flowing in disorder. He handed a letter with a black seal, containing simply these words:

"Patrick O'Darcy died October 1st, 1798.

*"Captain O'Gunnell will die October 1st,
1799. Twelve months!"*

"Who gave you this letter?" demanded the officer.

"Patrick O'Darcy," replied the sergeant, with a trembling voice.

"Patrick O'Darcy is dead, you fool."

"I assisted at his execution, and I was present when his corpse was thrown into the lake," replied the sergeant; "but if the words I now pronounce were the last which should ever issue from my mouth, I would swear that it was he himself who brought that letter."

O'Gunnell was not superstitious; yet, this mysterious letter inspired him with some uneasiness, but it soon vanished; five days afterward he thought no more of the matter. The first of November found him in Dublin, when

the hostess of the house at which he put up brought him a letter which she said had been left for him by an Irishman of uncommon height. This letter was precisely like the first, excepting that the number of months was reduced to eleven. O'Gunnell, on reading this second billet, felt his fears revive; his remorse returned more poignant than ever, and the reproaches of his guilty conscience began to persuade him that there was something supernatural in this strange occurrence. He had informed no one of his journey to Dublin, where he had arrived only the evening before: what living being, then, could have divined his intentions and have discovered him so soon? A vague but unceasing restlessness preyed upon him—appetite and sleep both abandoned him. He strove to drown his sufferings by plunging into the whirlpool of pleasure, but nothing could relieve his gloomy thoughts, the moral disease under which he felt himself failing followed him every where.

The first of December found him at the table, surrounded by numerous friends, and on the point of drinking a toast, when a servant handed him a letter bearing a black seal. He turned pale on receiving it, and fell back in his

chair without uttering a word ; pretending sudden indisposition, he soon left the apartment. Next day he quitted Dublin, to go, he said, on a hunting excursion among the mountains of Wicklow ; a single servant accompanied him.

It was no idea of pleasure or amusement that brought O'Gunnell among the mountains : he began to consider every kind of happiness or joy as a dream of the past ; all that he could hope for was partial relief, momentary forgetfulness of his ills, and he sought it in bodily fatigue, and the activity of a country life. But the recollection of the island of the Virgin never forsook him ; look which way he would, a bloody phantom was incessantly by his side. Thus passed the month of December.

One day, O'Gunnell, returning from a long mountain excursion, passed through a narrow path which followed the course of a rivulet. At a turn in the road, he suddenly perceived a man, who, standing on a little knoll, pointed with his hand towards a huge rock near which he had to pass. O'Gunnell attentively scrutinized this singular figure ; it was O'Darcy ! His hair stood erect, his blood curdled in his veins, his hand mechanically grasped a pistol which he constantly carried, and he fired. A

smile of derision gleamed athwart the visage of O'Darcy, who, without moving, continued to point at the rock. In a few moments he disappeared as if by enchantment. Approaching the spot designated, O'Gunnell found a letter—it announced that he had but nine months to live.

After this apparition, O'Gunnell no longer doubted that there was something supernatural in his mysterious adventure; his fears, his sufferings redoubled, and it was with a deadly terror that he saw the fatal day approach which should bring him a new letter.

The day at length arrived, but nothing extraordinary happened to O'Gunnell, and night approached without his having received any letter; this excited in his breast a hope that the charm was broken. Filled with joy, he returned towards his dwelling, when, wishing to cross a small lonely bridge, he met a man who seemed desirous to dispute the passage. Face to face he recognized him as a poor Catholic gentleman, whose house he had burnt during his last expedition against the insurrectionists in Wexford. O'Gunnell requested him to make way; but the other, without budging,

stared him in the face, and said, "I have waited for you."

"You wait for me!" replied O'Gunnell, "I have nothing to do with rebels and papists."

"Scoundrel!" cried the old gentleman, "have a care what you say."

The blood rushed to O'Gunnell's face.

"No man ever insulted me with impunity," he exclaimed, "choose one of these two pistols and defend yourself."

"All that once formed my happiness, has been ravished from me, ravished by you, and although death seems to me preferable to the existence I now lead, I will not profit by the advantage I have over you on this occasion. The hand of an assassin always trembles."

"Does my hand tremble!" shouted O'Gunnell, in a paroxysm of rage.

The old man smiled disdainfully, drew a paper from his bosom, and presented it to O'Gunnell.

"See what I have been charged to convey to you," said he with affected calmness.

"Ha! does your hand tremble now?"

O'Gunnell had hardly taken the paper, when his knees trembled and he fainted. When he recovered his consciousness, the old gentleman

had disappeared, but he saw at some distance the sombre figure of O'Darcy gazing fixedly upon him.

It would take too much time to narrate all the attempts O'Gunnell made to escape from his persecutor, and discard the forebodings which incessantly beset him. He travelled over nearly all England, flying from one place to another, without being able to evade those fatal letters which reached him regularly on the first of every month, in spite of all the care he took to conceal himself from every eye.

In this extremity, he resolved to expatriate himself and go over to Amsterdam, on a visit to a relative who many years previous had established a commercial house in that city. Accordingly, he embarked on a ship bound for Rotterdam, and when the shores of England disappeared from view, it seemed as though a great weight had been removed from his heart. During the night, the sea roughened, and soon a violent storm having arisen, the vessel was in peril. O'Gunnell hastened on deck, and watched the sailors lowering the mainsail, when the lightning flashed vividly, and he saw among them O'Darcy himself, who flung a letter sealed with black at his feet, and was instantly

shrouded in darkness. It is impossible to describe the anguish which the unhappy man experienced at this sight. He felt that it was all over with him, henceforth not a hope remained; his heart broke with grief and despair. When he reached the residence of his relative, so much was he changed they could hardly recognize him. A livid pallor overspread his countenance, a burning fever consumed him; instead of the gay companion, the joyous guest whom they had once known, they found a man prematurely old, sad, morose; seldom speaking, and never smiling. His relative, pained as much as astonished at this transformation, often questioned O'Gunnell: but he always evaded a reply, and many weeks passed before he made the slightest disclosure.

At length, one day, as they promenaded together along the canal which traverses the Heeren-Gratt, one of the principal streets in Amsterdam, the merchant urged him more earnestly than usual to reveal the cause of his condition. O'Gunnell maintained silence. "If it is remorse that tortures you," said his relative, "you had better seek the consolation of religion."

"Alas!" said O'Gunnell, with bitterness, "I cannot pray. That consolation is denied me. I have but a day longer to live on earth, and I cannot pray. My persecutor follows me step by step: this evening, at five o'clock, I shall be a corpse, and yet I cannot pray! Behold him, even now!" he suddenly exclaimed, trembling in every limb, and pointing with his finger at a tall young man who marched slowly along the other side of the canal.

They were obliged to carry O'Gunnell home to the house of his relative: he was so weak that he could sustain himself no longer. The merchant, persuaded that his malady was purely imaginary, had a clock placed in front of the bed, having previously put the hands forward half an hour. In proportion as the fatal moment drew near, the state of the disease grew worse; but when the clock had struck five, the unfortunate man became somewhat better, and they began to conceive hopes of his recovery. At this critical time, the sound of footsteps was heard in the adjoining apartment, the door was thrust rudely open, and a young man entered whom they readily recognized as an Irishman, by his dress. O'Gunnell raised himself in a

sitting posture, threw a rapid glance upon the intruder, and fell back dead in his bed.

It was the brother of Patrick O'Darcy.

SUBSTANCE

OF

THOMAS ADDIS EMMETT'S EXAMINATION,

*Before the Secret Committee of the House of
Lords, August 10, 1798.*

Committee. Were you an United Irishman?

Emmett. My lords, I AM one.

Com. Were you a member of the executive?

Emmett. I was of the executive from the month of January to the month of May, 1797, and afterwards from December, 1797, till I was arrested.

[I was then asked as to the military organization, which I detailed. They then asked

when the returns included fire arms and ammunition.]

Emmett. After the insurrection and indemnity acts had been passed, when the people were led to think on resistance, and after 4000 persons had been driven from the county of Armagh by the Orangemen.

Com. Was not the name of Orangeman used to terrify the people into the United system?

Emmett. I do not know what groundless fears may have been propagated by ignorant people; but I am sure no unfair advantage was taken by the executive. The Orange principles were fairly discussed, as far as they were known, and we always found, that wherever it was attempted to establish a lodge, the United Irish increased very much.

Lord Dillon. Why, where was it endeavored to introduce them, except in the north, and the city of Dublin?

Emmett. My lord, I can't tell you all the places in which it was endeavored, but I will name one, in the county of Roscommon, where I am told it made many United Irishmen.

Lord Dillon. Well, that was but very lately, and I endeavored to resist it.

Com. When were the first communications with France?

Emmett. The first I heard of were after the insurrection and indemnity acts had been carried; the first I knew of was after the French fleet had left Bantry Bay, and after it was manifest the effort for reform would not succeed: and permit me to add, on my oath, it was my intention to propose to, and from conversations I had with some of the executive directory, I am sure it would have been carried there, that if there had been any reasonable hope of reform being adopted, to send one more messenger to France, and he should have told them the difference between the people and the government was adjusted, and not to attempt a second invasion.

[They then took me into detail through the whole of the negotiations and message—stated that the demand on our part was from five to ten thousand men, and forty thousand stand of arms, by the first agent; that the instructions to the second agent differed by requesting more arms in consequence of the disarming of the north, which had intervened, and that the

French had promised we should be at perfect liberty to choose our own form of government. It was expressly stipulated with them that they should conduct themselves so.]

Lord Chancellor. As they did in Holland?

Emmett. As Rochambeau did in America, my lords.

They then entered on the subject of the separation.

Lord Chancellor. How is it possible, Mr. Emmett, just look on the map, and tell me how you can suppose that Ireland could exist independent of England or France?

Emmett. My lords, if I had any doubt on that subject, I should never have attempted to effect a separation, but I have given it as much consideration as my faculties would permit, and I have not a shadow of doubt, that if Ireland was once independent, she might defy the combined efforts of France and England.

Archbishop of Cashel. My God! her trade would be destroyed!

Emmett. Pardon me, my lord, her trade would be infinitely increased: 150 years ago, when Ireland contained not more than one million and an half of men, and America was nothing, the connexion might be said to be ne-

cessary to Ireland; but now that she contains five millions, that America is the best market in the world, and Ireland the best situated country in Europe to trade with that market, she has outgrown the connexion.

Lord Chancellor. Yes, I remember talking to a gentleman of your acquaintance, and I believe one of your body and way of thinking, who told me that Ireland had nothing to complain of from England; but that she was strong enough to set up for herself.

Emmett. I beg, my lords, that may not be considered as my opinion: I think Ireland has a great many things to complain of against England: I am sure she is strong enough to set up for herself; and give me leave to tell you, my lords, that if the government of this country be not regulated so as that the control may be wholly Irish, and that the commercial arrangements between the two countries be not put on the footing of perfect equality, the connexion cannot last.

Lord Chancellor. What would you do for coals?

Emmett. In every revolution, and in every war, the people must submit to some privations; but I must observe to your lordship,

that there is a reciprocity between the buyer and seller, and that England would suffer as much as Ireland, if we did not buy her coals. However, I will grant our fuel would become dearer for a time ; but by paying a higher price we could have a full sufficient abundance from our own coal mines, and from bogs, by means of our canals.

Archbishop of Cashel. Why, twelve frigates would stop up all our ports.

Emmett. My lord, you must have taken a very imperfect survey of the ports on the western coasts of this kingdom, if you suppose that twelve frigates would block them up ; and I must observe to you, that if Ireland was for three months separated from England, the latter would cease to be such a formidable naval power.

Lord Chancellor. Well, I cannot conceive the separation could last twelve hours.

Emmett. I declare to God, I think that if Ireland were separated from England, she would be the happiest spot on the face of the globe.

[At which they all seemed astonished.]

Lord Chancellor. But how could you rely

on France that she would keep her promise of not interfering with your government?

Emmett. My reliance, my lords, was more on high power, than on French promises; for I was convinced, that though she could not easily set up the standard herself, yet, when it was once raised, a very powerful army would flock to it, which, organized under its own officers, would have no reason to dread 100 000 Frenchmen, and we only stipulated for a tenth part of that number.

Lord Kilgarden. You seem averse to insurrection; I suppose it was because you thought it impolitic?

Emmett. Unquestionably: for if I imagined an insurrection could have succeeded without a great waste of blood and time, I should have preferred it to invasion, as it would not have exposed us to the chance of contributions being required by a foreign force; but as I did not think so, and as I was certain an invasion would succeed speedily, and without much struggle, I preferred it even at the hazard of that inconvenience, which we took every pains to prevent.

Lord Dillon. Mr. Emmett, you have stated the views of the executive to be very liber-

al and very enlightened, and I believe yours were so; but let me ask you, whether it was not intended to cut off (in the beginning of the contest) the leaders of the opposition party by a summary mode, such as assassination: my reason for asking you is, John Sheare's proclamation, the most terrible paper that ever appeared in any country: it says, that "many of your tyrants have bled, and others must bleed," &c.

Emmett. My lords, as to Mr. Sheare's proclamation, he was not of the executive when I was.

Lord Chancellor. He was of the new executive.

Emmett. I do not know he was of any executive, except from what your lordship says—but I believe he was joined with some others in framing a particular plan of insurrection for Dublin and its neighborhood—neither do I know what value he annexed to those words in his proclamation—but I can answer, that while I was of the executive, there was no such design, but the contrary—for we conceived when one of you lost your lives, we lost an hostage. Our intention was to seize you all, and keep you as hostages for the conduct of

England; and after the revolution was over, if you could not live under the new government, to send you out of the country. I will add one thing more, which, though it is not an answer to your question, you may have a curiosity to hear. In such a struggle, it was natural to expect confiscations; our intention was, that every wife who had not instigated her husband to resistance, should be provided for out of the property, notwithstanding confiscations; and every child who was too young to be his own master, or form his own opinion, was to have a child's portion. Your lordships will now judge how far we intended to be cruel.

Lord Chancellor. Pray, Mr. Emmett, what caused the late insurrection?

Emmett. The free quarters, the house-burnings, the tortures, and the military executions, in the counties of Kildare, Carlow, and Wicklow.

Lord Chancellor. Don't you think the arrests of the 12th of March caused it?

Emmett. No; but I believe if it had not been for these arrests, it would not have taken place; for the people, irritated by what they suffered, had been long pressing the executive

to consent to an insurrection, but they had resisted or eluded it, and even determined to persevere in the same line. After these arrests, however, other persons came forward, who were irritated, and thought differently, who consented to let that partial insurrection take place.

Lord Chancellor. Were all the executive arrested or put to flight by the arrests of the 12th of March?

Emmett. Your lordships will excuse my answering to that question, as it would point out individuals.

Lord Chancellor. Did you not think the government very foolish to let you proceed so long as they did?

Emmett. No, my lord; whatever I imputed to government, I did not accuse them of folly. I knew we were very attentively watched, but I thought they were right in letting us proceed. I have often said, laughing among ourselves, that if they did right, they would pay us for conducting the revolution, conceiving, as I then did, and now do, that a revolution is inevitable, unless speedily prevented by very large measures of conciliation. It seemed to me an object with them, that it should be con-

ducted by moderate men, of good moral characters, liberal education, and some talents, rather than by intemperate men of bad characters, ignorant, and foolish; and into the hands of one or other of those classes it undoubtedly will fall. I also imagined the members of government might be sensible of the difference between the change of their situation being effected by a sudden and violent convulsion, or by the more gradual measures of a well conducted revolution. If it were effected suddenly by an insurrection—and I need not tell your lordships, that had there been a general plan of acting, and the north had co-operated with Leinster the last insurrection would have infallibly and rapidly succeeded; in such case, you would be tumbled at once from your pinnacle; but if a revolution were gradually accomplished, you would have time to accommodate, and habituate yourselves to your new situation. For these reasons, I imagined government did not wish to irritate and push things forward.

Lord Chancellor. Pray, do you think Catholic emancipation and parliamentary reform any objects with the common people?

Emmett. As to Catholic emancipation, I

don't think it matters a feather, or that the poor think of it. As to parliamentary reform, I don't think the common people ever thought of it, until it was inculcated to them that a reform would cause a removal of those grievances which they actually do feel. From that time, I believe, they have become very much attached to the measure.

Lord Chancellor. And do you think that idea has been successfully inculcated into the common people?

Emmett. It has not been my fortune to communicate much with them on that subject, so that I cannot undertake to say how far it has been successfully inculcated into them; but of this I am certain, that since the establishment of the United Irish system, it has been inculcated into all the middling classes, and much more among the common people, than ever it was before.

Lord Chancellor. And what grievances would such a reformed legislature remove?

Emmett. In the first place, it would cause a complete abolition of tithes; in the next, by giving the common people an increased value in the democracy, it would better their situation, and make them more respected by their

superiors ; the condition of the poor would be ameliorated ; and what is perhaps of more consequence than all the rest, a system of national education would be established.

Lord Dillon. The abolition of tithes would be a very good thing ; but don't you think it would be more beneficial to the landlords than the tenants ?

Archbishop of Cashel. Aye, it is they would benefit by it.

Emmett. My lords, I am ready to grant, that if tithes were now abolished, without a reform, there are landlords who would raise the rent on their tenants, when they were making new leases, the full value of the tithes, and, if they could, more ; but if a reform succeeded the abolition of tithes, such a reformed legislature would very badly know, or very badly perform its duty, if it did not establish such a system of landed tenures as would prevent landlords from doing so ; and let me tell your lordships, that if a revolution ever takes place, a very different system of political economy will be established, from what has hitherto prevailed here.

Lord Glentworth. Then your intention was to destroy the church ?

Emmett. Pardon me, my lord, my intention never was to destroy the church. My wish decidedly was to overturn the establishment.

Lord Dillon. I understand you—and have it as it is in France?

Emmett. As it is in America, my lords.

Lord Kilwarden. Pray, Mr. Emmett, do you know of any communications with France since your arrest?

Emmett. I do, my lord, Mr. Cooke told me of one.

Lord Kilwarden. But don't you in any other way, know whether communications are still going on between this country and France?

Emmett. No: but I have no doubt that even after we shall have left this country, there will remain among the 500,000 and upwards which compose the Union, many persons of sufficient talents, enterprise, enthusiasm, and opportunity, who will continue the old, or open a new communication with France, if it shall be necessary; and in looking over, in my own mind, the persons whom I know of most talents and enterprise, I cannot help suggesting to myself the persons I think

most likely to do so; but I must be excused pointing at them.

THOMAS ADDIS EMMETT.

THE EXAMINATION

OF

THOMAS ADDIS EMMETT,

*Before the secret Committee of the House of
Commons, August 14, 1798.*

Lord Castlereagh mentioned that the minutes of my examination before the lords had been transmitted to them; and that they only wanted to ask me a few questions in explanation of those minutes. The general turn of the examination was therefore the same as that before the upper house; but I could observe much more manifestly this time than before, a design, out of my answers, to draw the conclusion that nothing would content the people but such changes as would be a departure from

what they choose to call the English constitution, and the English system; and therefore I presume they meant to infer, that the popular claims must be resisted at all hazards. The Speaker seemed to me to take the lead in conducting the investigation to this point.

Lord Castlereagh. Mr. Emmett, you said in your examination before the lords, that the French had not made known the place where they intended landing; how then will you explain an address which we have here, stating that the French were shortly expected in Bantry Bay?

Emmett. My lords, I know nothing at present of that address; but I suppose on farther enquiry it will be found to be some mistake, as I am positive they never mentioned Bantry Bay in any communication; I know, on the contrary, Galway Bay was looked on as the probable place of their landing.

N. B. I find, upon inquiry, that address is without a date, and was written after the French had disappeared from Bantry Bay, and were generally expected to return.

Mr. Alexander. I have here some resolutions, (which he read, and which, among other things, spoke of the extent of the confiscations

that would be made in the event of a revolution, and how they should be applied)—do you know any thing of them?

Emmett. I have a recollection of having read them before; and if that recollection be right, they are resolutions that have been passed by an individual society at Belfast, and were seized at the arrests of Barrett, Burnside, and others.

Mr. Alexander. They are the same.

Emmett. Then I hope the committee will draw no inference from them as to the views of the executive or of the whole body. You know the north well, and that every man there turns his mind more or less on speculative politics; but certainly the opinion of a few of the least informed among them cannot be considered as influencing the whole.

Mr. J. C. Beresford. Aye, but would you be able to make such people give up their own opinion, to follow yours?

Emmett. I am convinced we should; because I know we have done it before, on points where their opinions and wishes were very strong.

Mr. Alexander. How did you hope to

hold the people in order and good conduct when the reins of government were loosened?

Emmett. By other equally powerful reins. It was for this purpose that I considered the promoting of organization to be a moral duty. Having no doubt that a revolution would, and will take place, unless prevented by removing the national grievances, I saw in the organization the only way of preventing its being such as would give the nation lasting causes of grief and shame. Whether there be organization or not, the revolution will take place; but if the people be classed and arranged for the purpose, the control which heads of their own appointment will have over them, by means of the different degrees of representation, and organs of communication, will, I hope, prevent them from committing those acts of outrage and cruelty which may be expected from a justly irritated, but ignorant and uncontrolled populace.

Mr. Alexander. But do you think there were in the Union such organs of communication as had an influence over the lower orders, and were at the same time fit to communicate and do business with persons of a better condition?

Emmett. I am sure there were multitudes of extremely shrewd and sensible men, whose habits of living were with the lower orders, but who were perfectly well qualified for doing business with persons of any condition.

Speaker. You say the number of United Irishmen is five hundred thousand—do you look upon them all as fighting men?

Emmett. There are undoubtedly some old men and some young lads among them; but I am sure I speak within bounds when I say the number of fighting men in the Union cannot be less than three hundred thousand.

Speaker. I understand, according to you, the views of the United Irish went to a republic and separation from England; but they would probably have compounded for a reform in parliament. Am I not right, however, in understanding that *the object next their hearts* was a separation and a republic?

Emmett. Pardon me, *the object next their hearts* was a redress of their grievances; two modes of accomplishing that object presented themselves to their view; one was a reform by peaceable means, the other was a revolution and republic. I have no doubt but that if they could have flattered themselves that *the object*

next their hearts would be accomplished peaceably, by a reform, they would prefer it infinitely to a revolution and republic, which must be more bloody in their operation ; but I am also convinced, when they saw they could not accomplish the object next their hearts, a redress of their grievances, by a reform, they determined in despair to procure it by a revolution, which I am persuaded is inevitable, unless a reform be granted.

Speaker. You say that a revolution is inevitable, unless a reform be granted: what would be the consequence of such a reform in redressing what you call the grievances of the people ?

Emmett. In the first place, I look to the abolition of tithes. I think such a reformed legislature would also produce an amelioration of the state of the poor, and a diminution of the rents of lands, would establish a system of national education, would regulate the commercial intercourse between Great Britain and Ireland, on the footing of perfect equality, and correct the bloody nature of your criminal code.

Speaker. You speak of the abolition of

tithes ; do you include in that the destruction of the establishment ?

Emmett. I have myself no doubt of the establishment's being injurious, and I look to its destruction ; but I cannot undertake to say how far the whole of that measure is contemplated by the body of the people, because I have frequently heard an acreable tax proposed as a substitute, which necessarily supposes the preservation of the establishment.

Speaker. Don't you think the Catholics peculiarly object to tithes ?

Emmett. They certainly have the best reason to complain, but I rather think they object as tenants more than as Catholics, and in common with the rest of the tenantry of the kingdom ; and if any other way of paying even a protestant establishment, which did not bear so sensibly on their industry, were to take place, I believe it would go a great way to content them ; though I confess it would not content me ; but I must add, that I would (I am sure so would many others who think of establishments like me) consent to give the present incumbents equivalent pensions.

Lord Castlereagh. Don't you think the

Catholics look to accomplishing the destruction of the establishment?

Emmett. From the declaration they made in 1792, or 1793, I am sure they did not then ; I cannot say how far their opinions may have altered since, but from many among them proposing a substitute for tithes, I am led to believe they may not yet be gone so far.

Lord Castlereagh. But don't you think they will look to its destruction ?

Emmett. I cannot pay so bad a compliment to the reasons which have convinced myself, as not to suppose they will convince others. As the human mind grows *philosophic*, it will, I think, wish for the destruction of all religious establishments, and therefore, in proportion as the catholic mind becomes *philosophic*, it will of course entertain the same wishes—but I consider that as the result of its *philosophy*, and not of its religion.

Lord Castlereagh. Don't you think the catholics would wish to set up a catholic establishment, in lieu of the protestant one ?

Emmett. Indeed I don't, even at the present day ; perhaps some old priests, who have long groaned under the penal laws, might wish for a retribution to themselves—but I don't

think the young priests wish for it, and I am convinced the laity would not submit to it, and that the objections to it will be every day gaining strength.

Speaker. You also mention that a reform would diminish the rents of lands; how do you think that would be done?

Emmett. I am convinced rack rents can only take place in a country otherwise essentially oppressed; if the value of the people was raised in the state, their importance would influence the landlords to consult their interests, and therefore to better their condition. Thus I think it would take place, even without any law bearing upon the matter.

Mr. Alexander. Mr. Emmett, you have gone circuit for many years; now have you not observed that the condition of the people has been gradually bettering?

Emmett. Admitting that the face of the country has assumed a better appearance; if you attribute it to the operation of any laws you have passed, I must only declare my opinion, it is *post hoc sed non echoc*. As far as the situation of the lower orders has been bettered in Ireland, it results from the increased knowledge, commerce, and intercourse of the

different states of Europe with one another, and is enjoyed in this country only in common with the rest of civilized Europe and America. I believe the lower orders in all those countries have been improved in their condition within these twenty years, but I doubt whether the poor of this kingdom have been bettered in a greater proportion than the poor in the despotic states of Germany.

Speaker. You mention an improved system of national education; are there not as many schools in Ireland as in England?

Emmett. I believe there are, and that there is in proportion as great a fund in Ireland as in England, if it were fairly applied; but there is this great difference, the schools are protestant schools, which answer very well in England, but do little good among the catholic peasantry in Ireland—Another thing to be considered is, that stronger measures are necessary for educating the Irish people than are necessary in England: in the latter country, no steps were taken to counteract the progress of knowledge; it had fair play, and was gradually advancing; but in Ireland you have brutalized the vulgar mind, by long continued operation of the popery laws, which, though

they are repealed, have left an effect that will not cease these fifty years. It is incumbent then on you to counteract that effect by measures which are not equally necessary in England.

Speaker. You mentioned the criminal code; in what does that differ from the English?

Emmett. It seems to me, that it would be more advisable, in reviewing our criminal law, to compare the crime with the punishment, than the Irish code with the English; there is, however, one difference that occurs to me on the instant—administering unlawful oaths is in Ireland punished with death.

Lord Castlereagh. That is a law connected with the security of the state.

Emmett. If it is intended to keep up the ferment of the public mind, such laws may be necessary; but if it be intended to allay the ferment, they are perfectly useless.

Speaker. Would putting the commercial intercourse on the footing of equality, satisfy the people?

Emmett. I think that equality of situations would go nearer satisfying the people than any of the other equalities that have been alluded to.

Speaker. Then your opinion is that we

cannot avoid a revolution, unless we abandon the English constitution, and the English system in our establishment, education, and criminal laws?

Emmett. I have already touched on the latter subjects; as to the English constitution, I cannot conceive how a reform in parliament can be said to destroy that.

Speaker. Why, in what does the representation differ in Ireland from that in England; are there not in England close boroughs, and is not the right of suffrage there confined to 40s. freeholders?

Emmett. If I were an Englishman, I should be discontented, and therefore cannot suppose that putting Ireland on a footing with England would content the people of this country; if, however, you have a mind to try a partial experiment, for the success of which I would not answer, you must consider how many are the close boroughs and large towns which contribute to the appointment of their 6558, and diminish in the same proportion the number of the close boroughs and towns which contribute to the appointment of our 300; even that would be a gain to Ireland; but that there should be no mistake, or confusion of

terms, let us drop the equivocal words of *English constitution*, and then I answer, I would not be understood to say, that the government, of king, lords and commons, would be destroyed by a reform of the lower House.

Lord Castlereagh. And don't you think that such a house could not co-exist with the government of king and lords?

Emmett. If it would not, my lord, the eulogies that have been passed on the British constitution are very much misplaced; but I think they could all exist together, if the king and lords meant fairly by the people; if they should persist in designs hostile to the people, I do believe they would be overthrown.

[It was then intimated, that they had got into a theoretical discussion, and that what they wished to enquire into was facts.]

Sir F. Parnell. Mr. Emmett, while you and the executive were philosophising, Lord Edward Fitzgerald was arming and disciplining the people.

Emmett. Lord Edward was a military man, and if he was doing so, he probably thought that was the way in which he could be most useful to the country; but I am sure, that if those with whom he acted were con-

vinced that the grievances of the people were redressed, and that force was become unnecessary, he would have been persuaded to drop all arming and disciplining.

Mr. J. C. Beresford. I knew Lord Edward well, and always found him very obstinate.

Emmett. I knew Lord Edward right well, and have done a great deal of business with him, and have always found, when he had a reliance on the integrity and talents of the person he acted with, he was one of the most persuadable men alive—but if he thought a man meant dishonestly or unfairly by him, he was as obstinate as a mule.

[Many questions were then put to me relative to different papers and proceedings of the United Irish; among the rest, John Sheares's proclamation was mentioned with considerable severity. I took that opportunity of declaring, that neither the execution of John Sheares, or the obloquy that was endeavored to be cast on his memory, should prevent my declaring that I considered John Sheares a very honorable and humane man.]

Mr. French. Mr. Emmett, can you point

out any way of inducing the people to give up their arms?

Emmett. Redressing their grievances, and no other.

Lord Castlereagh. Mr. Emmett, we are unwillingly obliged to close this examination by the sitting of the house.

Emmett. My lord, if it be the wish of the committee, I will attend it any other time.

Lord Castlereagh. If we want you, then we shall send for you.

After the regular examination was closed, I was asked by many of the members whether there were many persons of property in the Union. I answered that there was immense property in it. They acknowledged there was great personal property in it, but wished to know was there much landed property; I answered there was. They asked me was it fee simple; to that I could give no answer. The attorney-general said there was in it many landholders who had large tracts of land, and felt *their* landlords to be great grievances. I admitted that to be the fact. They asked me had we provided any form of government. I told them we had a provisional government for the instant, which we retained in memory;

but as to any permanent form of government, we thought that, and many other matters relating to the changes which would become necessary, were not proper objects for our discussion, but should be referred to a committee chosen by the people.

They did not ask what the provisional government was.

THE IRISH PATRIOTS OF '48.

As matter not intimately, though remotely connected with this work, we append here a brief sketch of the Irish patriots of a late day; among the most prominent of whom was JOHN MITCHELL. He was tried and condemned for the fearless expression of his opinions in relation to the duty of Irishmen. We are indebted for the following account of the trial to "The Felon's Track," by MICHAEL DOHENY, one of the patriots:

Mitchell's arrest, under the treason felony act

was not unexpected. But as soon as it was ascertained that he was lodged in Newgate, his fate engaged the entire care of his co-confederates. The question at once arose whether, if a rescue were attempted, there were resources to ensure even a decent stand. It was ascertained that the supply of arms and ammunition was scanty and imperfect, and the supply of food still scantier. The people had been decimated by three years of famine: and no want could be more appalling than the want of food. On inquiry, it was found that there was not provision for three days in the capital, which depended on daily arrivals for its daily bread. Throughout the country, the supply was even more precarious. The Government had in their own hands the uncontrolled power of preventing the arrival of a single grain of corn; and, if so minded, could starve the island in a fortnight, supposing the people were even able to possess themselves of all the cattle in the country.

These were some of the considerations which influenced the decision of Mr. Mitchel's comrades. Whether the opinion were or were not a correct one, they acted on the conviction that under all the circumstances, any attempt to res-

cue him would eventuate in a street row, which would entail not only defeat, but disgrace. If they could but persuade themselves that a blow might be struck, even though defeat and death followed, they most certainly would have attempted it. It was generally understood, on the day before the trial, that the idea of a rescue was abandoned; and the trial commenced, amidst gloomy presentiments and blighted hopes. After hours of quibbling and legal fencing, a jury was selected, by the crown, to convict. From the moment they went through the blasphemous process of swearing to give a true verdict, John Mitchel's fate was sealed.

I pass over the details, and come to the last act in the infamous drama, called his trial.

The following account of the closing scene is not mine. Feeling inadequate to describe a scene of which even a distinct recollection is exciting, I asked a friend who felt the deepest interest in the trial, to describe it. With what he has written I entirely agree, save one sentence. He says that it was owing to the action of the council of the Confederation John Mitchel's personal friends were allowed to be assaulted, with impunity, by the police. I do not think so. With respect to the decision of the

council, I feel bound to assume my share of its responsibility, although I yielded to it with the utmost reluctance and regret.

On the morning of Saturday, the 27th May, 1849, the court was crowded to a greater excess than usual, even in those days. About the empty dock were the personal friends of Mr. Mitchel, those who agreed with him, and those who did not. A little retired on either side sat John Martin and John Kenyon—in front were William H. Mitchel, brother of the prisoner, and his only relative in court, T. Devin Reilly, Thomas F. Meagher, John B. Dillon, Mitchel Doheny, Richard O'Gorman, Martin O'Flaherty (Mr. Mitchel's attorney), Charles O'Hara, and others whom we have forgotten.

A little in advance, on the left of the dock, were the stalls reserved during the sham trial, for the counsel for the defence. As yet they were only occupied by the junior advocates, Sir Coleman O'Loughlen and John O'Hagan. The benches at the right of the dock, and nearer to the bench, reserved for the Attorney-General and his retainers, were vacant. The Sheriff and his white stick occupied their box, and the galleries to the right and left were crowded with jurymen—those who "had done

their business," and those who were eager for employment to do more. The bench of the judges held two empty chairs. And police officers and other mercenaries, dotted thickly over the court, "concluded and set off the arrangements."

An old man, low of stature, and stooped, passed through a side door, and walked slowly and decrepidly into the benches of the prisoner's counsel. Whispers, and then applause from the galleries, were heard and passed by him unheeded. Quietly and unostentatiously he moved to his seat—the junior advocates, and all the confederates in the body of the court, rising and bowing to him in silence. It was the solitary Republican of the United Irish day, Robert Holmes, coming to discharge his last duty to the great Republican of a younger century.

The applause of the galleries was hushed by the crier's voice—"Silence! take off your hats;" and on the right stalked in the gaunt figure of James Henry Monaghan. Triumph, animosity, and fear marked his night-bird face. Even yet it was hoped the great opponent of his "government," whom by rascality alone he could convict, would strike his colors, and

sue for mercy. Even yet it was feared that a rescue would be attempted. How possible the former was, the reader may judge. The latter was rendered impossible by the council of the Confederation, and the few who cherished the design in the council's despite, had attempted an *emeute* the night previous, and were beaten and placed hors de combat. As Monaghan and his retainers entered, the red face of Lefroy oozed through the bench curtains, and followed by the pale Moor, "the court was seated."

As yet the dock was empty, save that the jailer of Newgate and his deputy occupied each a corner. There was dead silence.

"Jailer, put forward John Mitchel," said the official, whose duty is to make such orders.

A grating of bolts—a rustling of chains, were heard behind. The low door-way at the back of the dock opened, and between turnkeys Mitchel entered.

Ascending the steps to the front of the dock, and lifting, as he advanced, the glazed dark cap he wore during his imprisonment, as gracefully as if he entered a drawing-room, he took his stand in a firm but easy attitude. His appearance was equally removed from bravado and

fear. His features, usually placid and pale, had a rigid clearness about them that day, we can never forget. They seemed, from their transparency and firmness, like some wondrous imagination of the artist's chisel, in which the marble, fancying itself human, had begun to breathe. The eye was calm and bright—the mouth, the feature round which danger loves to play, though easy, motionless, and with lips apart, had about it an air of immobility and quiet scorn, which was not the effect of muscular action, but of nature in repose. And in his whole appearance, features, attitude and look, there was a conscious pride and superiority over his opponents, which, though unpresuming and urbane, seemed to speak louder than words—"I am the victor here to-day."

He saluted quietly those friends about the dock he had not that day seen, conversing with one or two, and bowing to those at a distance. He then directed his eyes to the court.

After some preliminary forms, Baron Lefroy commenced operations, by stating that he had called on the case the first that morning, in order to give time for any application to be made in court by, or on behalf of, the prisoner of the crown.

Again there was a silence of some minutes. The judges looked at each other inquiringly. The crown prosecutor watched the prisoner's counsel. Upon the prisoner himself all other eyes were fixed.

There was no reply.

"Business proceeded." The "Clerk of the Crown" rising to ask the usual question—"If Mr. Mitchel had anything to say why judgment should not be passed upon him?"

"I *have*," he answered and after a momentary look at judges, jury-box, and sheriff, he slowly continued. "I have to say that I have been tried by a packed jury—by the jury of a partisan sheriff—by a jury not empanelled, even according to the law of England. I have been found guilty by a packed jury obtained by a juggle—a jury not empanelled by a sheriff, but by a juggler."

Here he was interrupted by the sheriff rising, and, in high indignation, claiming the protection of the court.

"That is the reason," continued Mitchel, "that is the reason why I object to the sentence being passed on me."

"That imputation," interrupted Lefroy, "upon the conduct of the sheriff I must pro-

nounce to be most unwarranted and unfounded." And this discriminating judge continued to show that the imputation was so—concluding with the assertion that the sheriff "had done his duty in the case." Then without pausing, he proceeded to the usual lecture, full of the hypocritical cant with which British judges usually preface their awards, however infamous. He alluded to the personal condition of Mr. Mitchel, and expressed his regrets that a person of such merits should be in such circumstances. Then having dilated on the enormity of the offence, he assured Mr. Mitchel that he had been found guilty of many heinous charges against the Queen and the Imperial Crown, and among others, of feloniously intending to levy war upon that gentlewoman, and that the evidence was furnished by the prisoner's self. "How, therefore," he continued, "you think yourself justified in calling it the verdict of a packed jury, and thus imputing perjury to twelve of your countrymen—deliberate and wilful perjury---?"

"No," interrupted the prisoner, "I did not impute perjury to the jury."

"I understood," said the speaker on the bench, "that you had stated, in arrest of judg-

ment, that you had been found guilty by a packed jury."

"I did," was the reply.

Robert Holmes rose, during the judge's speech, and said, "My lords, with the greatest respect, what I said was, that though he might be statutably guilty, he was not, in my opinion, morally guilty. I repeat that opinion now."

This avowal, so boldly and firmly made by the veteran Republican, was answered by all the audience, not pensioned, with plaudits.

Baron Lefroy would say no more on that point, only that the court could not acquiesce in a line of defence "which appeared to it very little short of, or amounting to, as objectionable matter as that for which the prisoner had been found guilty."

"I," replied the aged advocate, "I am answerable for that under your act of Parliament."

Loud applause followed. "Are there no policemen in court?" shouted Baron Lefroy. The High Sheriff "had given strict orders," he said, "to have all removed who would interrupt." "Make prisoners of them," said the judge. "I wish you to understand," he continued, still excited, and addressing Mr. Mitchel,

who during these episodes, stood unmoved, "that we have with the utmost anxiety, and with a view to come to a decision upon the measure of punishment which it would be our duty to impose, postponed the passing of sentence on you until this morning." Then, having stated the various considerations which induced *him* to believe that the punishment should be lenient, and the equally various considerations which induced him to believe the contrary, Lefroy concluded as follows: "We had to consider all this—to look at the magnitude of the crime, and to look also at the consideration, that if this were not the first case brought under the act, our duty might have obliged us to carry out the penalty it awards to the utmost extent; but, taking into consideration, that this is the first conviction under the act—though the offence has been as clearly proved as any offence under the act could be—the sentence of the court is, that you be transported beyond the seas for the term of fourteen years."

The listeners to the hypocritical sentence which concluded Lefroy's speech, heard the sentence with astonishment and indignation. Mr. Mitchel merely asked, apparently without

any astonishment, if he might now address some remarks to the court. The leave asked was granted; and a silence still as death awaited the prisoner.

“The law,” he said, in his usual manly tone, and unexcited manner, “the law has now done its part, and the Queen of England, her crown and government in Ireland are now secure—‘pursuant to act of Parliament.’ I have done my part, also. Three months ago, I promised Lord Clarendon, and his government in this country, that I would provoke him into his ‘courts of justice,’ as places of this kind are called, and that I would force him publicly and notoriously to pack a jury against me to convict me, or else that I would walk out a free man from this dock to meet him in another field.

“My lord, I knew I was setting my life on that cast; but I warned him that, in either case, the victory would be with me; and the victory is with me. Neither the jury, nor the judges, nor any other man in this court, presumes to imagine that it is a criminal who stands in this dock.”

He was interrupted with the plaudits of the auditory; and again continued:

"I have kept my word. I have shown what the law is made of in Ireland. I have shown that his majesty's government sustains itself in Ireland by packed juries, by partisan judges, by perjured sheriffs——"

Here he was interrupted by Lefroy, who said, "the court could not sit there to hear him arraign the jurors of the country, the sheriffs of the country, the administration of justice, the tenure by which the crown of England holds that country. The trial was over. Every thing the prisoner had to say previous to the judgment, the court was ready to hear, and did hear. They could not suffer him (Mr. Mitchel) to stand at that bar to repeat, very nearly, a repetition of the offence for which he had been sentenced."

"I will not say," Mr. Mitchel continued, "anything more of that kind. But I say this——"

Lefroy again interrupted him, to the effect that, within certain limits the prisoner might proceed.

"I have acted," he then said, "I have acted all through this business, from the first, under a strong sense of duty. I do not regret anything I have done, and I believe that the course

which I have opened is only commenced. The Roman," he continued in one of those bursts of eloquence, with which he used to electrify men, stretching forth his clenched hand and arm, "the Roman who saw his hand burning to ashes before the tyrant, promised that three hundred should follow out his enterprise. Can I not promise for one, for two, for three, aye for hundreds?"

Here he pointed to his friends, Reilly, Martin, and Meagher. A burst of wild enthusiasm followed—

"Officer! officer! remove Mr. Mitchel," was heard from Lefroy. A rush was made on the deck, and the foremost ranks sprung from the galleries, with outstretched arms to vow with him too. The judges rushed in terror from the benches—the turnkeys seized the hero, and in a scene of wild confusion he half walked, and was half forced through the low, dark door-way in the rear, waving his hand in a quiet farewell. The belts grated, the gate slammed, and he was seen no more.

Men stood in affright, and looked in each others' faces wonderingly. They had seen a Roman sacrifice in this modern world, and they were mute.

* * * *

An hour elapsed—the excited crowd had passed away; and the partisan judges, nervous and ill at ease, ventured upon the bench again.

They were seated and seemed to be settling down to get through “business” as well as they could, when Mr. Holmes, whose defence of Mr. Mitchel had been so offensive to them, rose. “My lords,” he said, “I think I had a perfect right to use the language I did yesterday. I wish now to state that what I said yesterday as an advocate, I adopt to-day, as my own opinion. I here avow all I have said; and, perhaps, under this late act of parliament, her Majesty’s Attorney-General, if I have violated the law, may think it his duty to proceed against me in that way. But if I have violated the law in anything I said, I must, with great respect to the Court, assert that I had a perfect right to state what I stated; and now I say in deliberation, that the sentiments I expressed with respect to England, and her treatment of this country, are my sentiments, and I here openly avow them. The Attorney-General is present—I retract nothing—these are my well judged sentiments—these are my opinions, as to the relative position of England and Ireland,

and if I have, as you seem to insinuate, violated the law by stating those opinions, I now deliberately do so again. Let her Majesty's Attorney-General do *his* duty to his government, I have done *mine* to my country."

Such was the conclusion of the trial of John Mitchel. The brother-in-law and friend of Robert Emmett, the republican of our fathers' days, came to attest the justice of the republican of our own, and to vie with him in defying and scorning the infamous laws of England.

It is needless to say, that the English officials did not dare accept the challenge so nobly and defiantly flung down before the very dock whence one victim had just been borne.

I feel tempted to add a word of a scene that intervened, in which I took a part. When the sheriff recovered his self-possession, he ordered several to be arrested; among others, Mr. Meagher. The officer who seized him acted rudely and violently, which led to further confusion, and the exchange of blows. At last Mr. Meagher and myself were secured and removed to prison. When order was restored, we were brought out before the court, and asked for an expression of regret. I answered, that having heard Mr. Mitchel express, in the dock, senti-

ments in which I entirely concurred, I took immediate occasion to mark my most distinct and emphatic approval. In doing this I had no intention of an affront to the court. But as to retract, or regret, no punishment, in the power of that or any other court to inflict, would compel me to do either one or the other.

Mr. Meagher repeated the same thing. We were then reprimanded and sent back. Soon after we were recalled, and upon motion of Mr. Dillon, and Sir Coleman O'Loughlin, on behalf of Mr. Meagher, who stated that he would express his regret for the contempt of court, but nothing else, we were both released, although I persisted in refusing even to join in the expression of regret made *for* but not *by* Mr. Meagher.

On the same day on which the above scene took place, John Mitchel was borne in irons from the land of his love, the wife of his bosom, and the children of his heart.

Next in the list came Mr. O'DOHERTY, who was put on his trial. "The jury," says Mr. Doheny, "was of the stamp, usual in such cases in Ireland. But a point of great importance was raised by his counsel, as to the pub-

lisher's *intention* to commit the felony, which they insisted should be proved, to bring his case within the provision of the treason felony act. The court, composed of Chief Baron Pigot and Baron Pennefather, gave an opinion favorable to this construction, and the jury refused to convict, for which the Castle Organ did not hesitate to pronounce them perjurers. Every one supposed and rejoiced that Mr. O'Doherty had escaped; but the vengeance of the Attorney-General was far from satisfied, and he had ample satisfaction on a future day.

On the 16th of August, John Martin was placed at the bar, before the same judges. The instincts of the official, exasperated by defeat, exercised a keener vigilance in selecting a jury; and one was finally sworn that did not disappoint his sagacity. They found a verdict of guilty without hesitation; but recommended the prisoner to mercy, which in that case was a distinct contradiction of their oaths. The composition of the jury, and the character of the prosecution, will be best understood by a perusal of the subjoined speech. No higher proof could be given of his purity of purpose, elevation of sentiment, and goodness of heart. On the 19th of August he was called up to re-

ceive sentence. He stood in the spot, hallowed by the footprints of Robert Emmett and John Mitchel; nor was the heart he brought to the same sacrifice less worthy than theirs. Upon his benevolent countenance, or stout heart, the appliances of terror around him had no effect. He stood unmoved and unawed, in the glorious consciousness that he had fulfilled his duty to his friend and to his country.

When asked what he had to say why sentence should not be passed upon him, he replied :

“ MY LORDS :—I have no imputation to cast upon the bench, neither have I anything of unfairness toward myself to charge the jury with. I think the judges desired to do their duty fairly, as upright judges and men, and that the twelve men who were put into the box, not to try, but to convict me, voted honestly according to their prejudices. I have no personal enmity against the sheriff, sub-sheriff, or any other gentleman connected with the arrangements of the jury panel, nor against the Attorney-General, or any other person engaged in the proceedings called my trial. But, my lords, I consider *I have not yet been tried!* There have been certain formalities carried on

here for three days, *but I have not been put upon my country, according to the constitution said to exist in Ireland!*

“Twelve of my countrymen, ‘indifferently chosen,’ have not been put into the jury-box to try me, but twelve men, -who, I believe, have been selected by the parties who represent the crown, for the purpose of *convicting*, and not of *trying* me.

“Every person knows that what I have stated is the fact; and I would represent to the judges, most respectfully, that they, as honorable judges, and as upright citizens, ought to see that the administration of justice, in this country, is above suspicion. I have nothing more to say with regard to the trial; but would be thankful to the court for permission to say a few words after sentence is passed.”

Chief Baron and Baron Pennefather. “No. We cannot hear anything from you after sentence is pronounced.”

“Then, my lords, permit me to say, that admitting the narrow and confined constitutional doctrines, which I have heard preached in this court, to be right, *I am not guilty of the charge according to this act!* In the article of mine, on which the jury framed their verdict, which

was written in prison, and published in the last number of my paper, what I desired to do was this, to advise and encourage my countrymen to keep their arms ; because that is their inalienable right, which no act of Parliament, no proclamation can take away from them. It is, I repeat, their inalienable right. I advised them to keep their arms ; and further, I advised them to use their arms in their own defence against all assailants—even assailants that might come to attack them unconstitutionally, and improperly, using the Queen's name as their sanction.

“My object in all my proceedings has been simply to establish the independence of Ireland for the benefit of all the people of Ireland—noblemen, clergymen, judges, professional men—in fact, all Irishmen. I sought that object first, because I thought it was our right ; because I thought, and think still, national independence was the right of the people of this country. And secondly, I admit, that being a man who loves retirement, I never would have engaged in politics did I not think it necessary to do all in my power to make an end of the horrible scenes the country presents—the pauperism and starvation, and crime, and vice, and

the hatred of all classes against each other. I thought there should be an end to that horrible system, which while it lasted, gave me no peace of mind, for I could not enjoy anything in my country, so long as I saw my countrymen forced to be vicious, forced to hate each other, and degraded to the level of paupers and brutes. This is the reason I engaged in politics.

"I acknowledge, as the solicitor-general has said, that I was but a weak assailant of the English power. I am not a good writer, and I am no orator. I had only two weeks experience in conducting a newspaper until I was put into jail. But I am satisfied to direct the attention of my countrymen to everything I have ever written, and to rest my character on a fair examination of what I have put forward as my opinions. I shall say nothing in vindication of my motives but this, that every fair and honest man, no matter how prejudiced he may be, if he calmly considers what I have written and said, will be satisfied that my motives were pure and honorable. I have nothing more to say."

The Chief Baron, in passing sentence, alluded to the jury's "recommendation to mercy."

Mr. Martin. "I can not condescend to accept mercy where I believe I have been morally right. I want justice, not mercy."

He was then sentenced to ten years' transportation.

On two successive occasions, the jury empanelled by the government, and carefully packed to serve their end, refused to convict Mr. O'Doherty. He was placed on his trial a third time, on the 30th of October, prosecuted with the same enduring malignity, and a verdict of guilty, suspected to be the result of a fraud practised on the jury, was returned. Mr. Williams, who was joint proprietor of the *Tribune*, and jointly responsible, was acquitted, after a protracted trial on the 3d of November, the jury being of opinion that although the articles given in evidence were felonious, there was no proof to satisfy them that the proprietors, when publishing them, did so with a felonious intent. This distinction arose in consequence of the fair and candid construction of the felony act, given by Chief Baron Pigot and Baron Pennefather, on Mr. O'Doherty's first trial, to the effect that the jury should be satisfied of the publisher's felonious intent; a construction which the present Judges Cramp-

ton and Torrens would not dare to contradict. Notwithstanding this, just as the words, not guilty, were pronounced by the jury, in Mr. Williams' case, despite the most flagrant and audacious bullying of the bench, Mr. O'Doherty was called up for judgment. Among all the martyr-band whom this year consigned to doom, not one behaved himself with truer or nobler heroism ; not one, either, whose fate commands a deeper sympathy. - Under thirty years of age, largely gifted, with most respectable connections, a high place in society, brilliant prospects, and so unostentatious in his enthusiasm, that it was only then his country heard of his devotion, and learned his worth ; there he stood with as lofty consciousness and as brave a heart as ever consecrated the scaffold or the battle-plain.

Judge Crampton pronounced the sentence. Nature has supplied his lordship with characteristics of countenance admirably befitting such a scene. Had he been only elevated to the kindred office of actual executioner, he would have been spared the expense of a mask ; for without it, no one could look into his eyes. Of course, he was teeming with compassion and regret, which jointly resulted in a sentence

of transportation for TEN YEARS. Mr. O'Doherty, who stood unmoved, after a few preliminary observations in reference to the unfairness of his trial, spoke as follows :

MR. O'DOHERTY.—“I would feel much obliged if your lordship would permit me to mention a few more words with reference to my motives throughout this affair. I had but one object and purpose in view. I did feel deeply for the sufferings and privations endured by my fellow-countrymen. I did wish, by all means, consistent with a manly and honorable resistance, to assist in putting an end to that suffering. It is very true, and I will confess it, that I desired an open resistance of the people to that government, which, in my judgment, entailed these sufferings upon them. I have used the words open and honorable resistance in order that I might refer to one of the articles brought in evidence against me, in which the writer suggests such things as flinging burning hoops on the soldiery. My lords, these are no sentiments of mine. I did not write that article. I did not see it or know of it until I read it when published in the paper. But I did not bring the writer of it here on the table. Why? I knew that if I were to do so, it would be on-

ly handing him over at the court-house doors to what one of the witnesses has very properly called the fangs of the Attorney-General. With respect to myself I have no fears. I trust I will be enabled to bear my sentence with all the forbearance due to what I believe to be the opinion of twelve conscientious enemies to me, and I will bear with due patience the wrath of the government whose mouthpiece they were; but I will never cease to deplore the destiny that gave me birth in this country, and compelled me, as an Irishman, to receive at your hands a felon's doom for discharging what I conceived, and what I still conceive, to be my duty."

MR. SMITH O'BRIEN, is another name that fills the breast of an Irishman with enthusiasm and we give below a short account of his trial, with that of his illustrious comrades, from the same work quoted above :

The 6th of August was the date of Mr. O'Brien's arrest; the 13th of August that of Messrs. Meagher and O'Donohoe, and the 7th of September that of Mr. McManus. Mr. O'Brien was taken at the Thurles station house; Messrs. Meagher and O'Donohoe, near Rathgannon, on the road between Clonoulty

and Holy-cross, about five miles from Thurles, and McManus on board the ship N. D. Chase, in the bay of Cove, on the 7th of September. They were each conveyed to Kilmainham jail, in the first instance, where they remained until within a few days of the opening of the special commission at Clonmell. This took place on Thursday, the 21st of Sept., when the bills were found, but six days were allowed to Mr. O'Brien and the rest of the prisoners, to peruse the indictment, with copies of which they were respectively furnished. On Thursday, the 28th, the trial of Mr. O'Brien commenced; that of Mr. McManus on the 9th of October; that of Mr. O'Donohoe on the 13th, and that of Mr. Meagher on the 16th.

Juries were empannelled, in each case, from whose prejudice and bad faith, verdicts for high treason were expected, even though the evidence only sustained a charge of common assault. Roman Catholics were, in the first instance, scrupulously excluded; but after the two first verdicts, one or two were admitted, upon whose weakness of character, or genteel aspirations, the government might safely rely. It is but justice to say, that according to the law expounded by the bench, and the evidence

given on the table, any other verdict was not to be expected. But a jury differently composed, a jury of Englishmen, with their country, their liberties, and their lives, periled to the last extremity by misgovernment and maladministration of law, would have spurned the law and the evidence, and relied on the great fundamental rights of humanity so flagrantly outraged by the government that then appeared as prosecutors.

The scene presented by Clonmell excited much public surprise. Newspaper correspondents magnified the sullen gloom that prevailed, into popular apathy or national cowardice, as suited the bent or purpose of their employers. The truth was, the people exhibited, during the trial, a decent and respectful forbearance. Empty parade, or vociferous sorrow, would only mock the lofty purpose of the sufferers; and besides, the mortification which rankled in the public heart was too deep for utterance. The hopes of the people had been dashed, and they were stunned and stupefied by their fall. But so far from being apathetic, nightly assemblages were held to consider if, even in that extremity, something was not yet possible to be done.

But, if there were a show of popular indifference on the streets, the court house presented a very different spectacle. There everything manifested an intense bitterness of purpose; the court, composed of the two most unscrupulous partisans, (Chief Justices Blackbourne, and Doherty,) and the weakest or falsest political convert, (Mr. Justice Moore,) simulated the uncontrollable emotions which an overweening loyalty awoke in the bosom of the Catholic Attorney-General. So far were their lordships swayed by the spirit of imitativeness, that the most polished speakers, mistaking the incoherent jargon of the official for the broken utterance of overwrought zeal and shocked royalty, mimicked his distempered language as the only befitting medium of expression for disturbed feelings such as theirs. The simplest and most usual facilities accorded to murderers and pick-pockets, on their trial were rudely denied the counsel for the defence. The principles of law, recognized in England as sacred, were scouted from the bench, and the farce of trial proceeded through its different stages to the final denouement, with perfect regularity, every one performing the part assigned him with unerring accuracy.

Of the intrepid ability which struggled against this fearful combination of bigotry, prejudice, and passion, at the bar, on the bench, and in the box, I do not purpose to speak here. But I would be unfaithful to my trust, and unjust to the rarest heroism, if I did not record the fortitude and fidelity of O'Donnell, from whom the menaces of the crown, or the frown of the bench, could not wring one word of evidence. In an ordinary man, this would be singular intrepidity; but circumstanced as O'Donnell was, it amounted to a Roman virtue. One brother of his, a doctor, was in jail at Liverpool, charged with political felony; another was hunted through the country, and another was in irons, involved in the same charge as the illustrious accused; for them all he could command his own terms, for much depended on his testimony; but though doom were upon them, and a word of his could avert it, he refused to speak. Honor be his. His integrity almost cancelled the shame and darkness of those disastrous times.

I can add nothing to the testimony that established the fortitude, manliness, and dignity of the prisoners, as beyond precedent or example. That their bearing, one and all, was truly

noble, friends and foes took pride in attesting.* It was a solemn and a glorious sight; and men, through all time, will turn to that Clonmel dock, to learn the inestimable and imperishable value of sincere and lofty convictions, and a truly heroic soul.

Of the speeches that follow, it will be observed that Mr. O'Brien's was delivered before the fate of his comrades was known. No man had ever greater need of vindicating others if not himself. No man ever possessed in a higher degree the capacity and strength to do so. He was satisfied it was the last opportunity he would ever have on earth for explanation. Yet, lest any sentiment of his might injuriously affect those that were then, or might thereafter be on their trial, he forebore to assert the principles of which he was there the martyr, and of which he was more than ever proud. It was to the same unselfish sentiment he yielded, when consenting to say, "not guilty,"

*The following is from the Freeman's Journal. An eminent Queen's counsel, who was present during the awful ordeal, was heard to give utterance to a sentiment so truthfully graphic that we record it in full:—"Well," said he, his eyes full and his countenance flushed with emotion, "never was there such a scene—never such true heroism displayed before. Emmett and Fitzgerald, and all combined did not come up to that—so dignified, so calm, so heroic. He is a hero."

to a charge he would have felt the greatest glory in avowing.

I despair of conveying to my readers an adequate idea of the gloom and horror of the scene in which those immortal words were spoken. Death, near and terrible, was in the future. The recollection of ten days' infamy peopled the present with ghastly images of evil. Vindictiveness inexorable glared from the bench. The dust around the feet of the speakers was laden with guilt. It would not rise to the briskest breeze, beneath the clearest sky, in light summer air, so heavy had the tread of murder been upon it. And oh, to think when they closed their eyes upon this world, what deeper death they left their country. . .

. Will no day of vengeance come, oh God!

One of those benefits of the British constitution, which excites the mortal envy of benighted "surrounding nations," is this, that the law lies to the face of death, in the usual question addressed to the condemned: "*whether he had anything to say why sentence of death and execution should not be passed upon him?*" when the most conclusive reasons that ever innocence had to offer would be worse than vain. On

the morning of the 9th of October, 1848, this barbarous mockery was addressed to William S. O'Brien, and he answered thus:

MR. O'BRIEN—"My lords, it is not my intention to enter into any vindication of my conduct, however much I might have desired to avail myself of this opportunity of so doing. I am perfectly satisfied with the consciousness that I have performed my duty to my country—that I have done only that which, in my opinion, it was the duty of every Irishman to have done, and I am now prepared to abide the consequences of having performed my duty to my native land. Proceed with your sentence." (Cheers in the gallery.)

On the morning of the 23d of the same month, the same formula was repeated to Terence Bellew McManus, Patrick O'Donohoe, and Thomas Francis Meagher, who replied respectively as follows:

MR. M'MANUS—"My lords, I trust I am enough of a Christian and enough of a man to understand the awful responsibility of the question that has been put to me. My lords, standing on this my native soil—standing in an Irish court of justice, and before the Irish nation—I have much to say why sentence of death, or

the sentence of the law, should not be passed upon me. But, my lords, on entering this court, I placed my life, and what is of much more importance to me—my honor—in the hands of two advocates; and, my lords, if I had ten thousand lives, and ten thousand honors, I would be content to place them under the watchful and the glorious genius of the one, and the high legal ability of the other. My lords, I am content. In that regard I have nothing to say. But I have a word to say, which no advocate, however anxious, can utter for me. I have this to say, my lords, that whatever part I may have taken through any struggle for my country's independence; whatever part I may have acted in that short career; I stand before your lordships now with a free heart, and with a light conscience, ready to abide the issue of your sentence. And now, my lords, perhaps this is the fittest time that I might put one sentiment on record, and it is this: Standing as I do between this dock and the scaffold; it may be now, or to-morrow, or it may be never; but whatever the result may be, I have this sentiment to put on record. That in any part I have taken, I have not been actuated by animosity to Englishmen. For I

have spent some of the happiest and most prosperous days of my life there ; and in no part of my career have I been actuated by enmity to Englishmen, however much I may have felt the injustice of English rule in this island. My lords, I have nothing more to say. It is not for having loved England less, but for having loved Ireland more, that I stand now before you."

Mr. O'Donohoe confined himself to a few words concerning his trial.

MR. MEAGHER.—"My lords, it is my intention to say a few words only. I desire that the last act of a proceeding which has occupied so much of the public time, should be of short duration. Nor have I the indelicate wish to close the dreary ceremony of a State prosecution with a vain display of words. Did I fear that, hereafter, when I shall be no more, the country I have tried to serve would think ill of me, I might indeed avail myself of this solemn moment to vindicate my sentiments and my conduct. But I have no such fear. The country will judge of those sentiments and that conduct in a light far different from that in which the jury by which I have been convicted have viewed them ; and by the country, the

sentence which you, my lords, are about to pronounce, will be remembered only as the severe and solemn attestation of my rectitude and truth. Whatever be the language in which that sentence be spoken, I know that my fate will meet with sympathy and that my memory will be honored. In speaking thus, accuse me not, my lords, of an indecorous presumption. To the efforts I have made in a just and noble cause, I ascribe no vain importance—nor do I claim for those efforts any high reward. But it so happens, and it will ever happen so, that they who have tried to serve their country, no matter how weak the effort may have been, are sure to receive the thanks and the blessings of its people. With my country, then, I leave my memory—my sentiments—my acts—proudly feeling that they require no vindication from me this day. A jury of my countrymen, it is true, have found me guilty of the crime of which I stood indicted. For this I entertain not the slightest feeling of resentment toward them. Influenced as they must have been by the charge of the Lord Chief Justice, they could have found no other verdict. What of that charge? Any strong observations on it, I feel sincerely, would ill befit the solemnity of this scene; but

I would earnestly beseech of you, my lord—you, who preside on that bench—when the passions and the prejudices of this hour have passed away, to appeal to your conscience, and ask of it was your charge as it ought to have been, impartial and indifferent between the subject and the crown. My lords, you may deem this language unbecoming in me, and perhaps it may seal my fate. But I am here to speak the truth, whatever it may cost. I am here to regret nothing I have ever done—to retract nothing I have ever said. I am here to crave, with no lying lip, the life I consecrate to the liberty of my country. Far from it: even here—here, where the thief, the libertine, the murderer, have left their footprints in the dust; here, on this spot, where the shadows of death surround me, and from which I see my early grave in an unanointed soil opened to receive me—even here, encircled by these terrors, the hope which has beckoned me to the perilous sea upon which I have been wrecked, still consoles, animates, enraptures me. No, I do not despair of my poor old country, her peace, her liberty, her glory. For that country I can do no more than bid her hope. To lift this island up—to make her a benefactor to humani-

ty, instead of being the meanest beggar in the world—to restore to her her native powers and her ancient constitution—this has been my ambition, and this ambition has been my crime. Judged by the law of England, I know this crime entails the penalty of death; but the history of Ireland explains this crime, and justifies it. Judged by that history, I am no criminal—you (addressing Mr. M'Manus) are no criminal—you (addressing Mr. Donohoe) are no criminal—I deserve no punishment—we deserve no punishment. Judged by that history, the treason of which I stand convicted loses all its guilt, is sanctified as a duty, will be ennobled as a sacrifice. With these sentiments, my lord, I await the sentence of the Court. Having done what I felt to be my duty—having spoken what I felt to be the truth, as I have done on every other occasion of my short career, I now bid farewell to the country of my birth, my passion, and my death—the country whose misfortunes have invoked my sympathies—whose factions I have sought to still—whose intellect I have prompted to a lofty aim—whose freedom has been my fatal dream. I offer to that country, as a proof of the love I bear her, and the sincerity with

which I thought, and spoke, and struggled for her freedom—the life of a young heart, and with that life, all the hopes, the honors, the endearments, of a happy and an honorable home. Pronounce then, my lords, the sentence which the law directs, and I will be prepared to hear it. I trust I shall be prepared to meet its execution. I hope to be able, with a pure heart and perfect composure, to appear before a higher tribunal—a tribunal where a Judge of infinite goodness, as well as of justice, will preside, and where, my lords, many—many of the judgments of this world will be reversed.”

The sentence of the Court was then pronounced, as it had been previously on Mr. O'Brien. It was in the following words :

“That sentence is, that you Terence Bellew M'Manus, you Patrick O'Donohoe, and you Thomas Francis Meagher, be taken hence to the place from whence you came, and be thence drawn on a hurdle to the place of execution; that each of you be there hanged by the neck until you are dead, and that afterward the head of each of you shall be severed from the body, and the body of each divided into four quarters, to be disposed of as her Majesty

may think fit. And may Almighty God have mercy upon your souls."

A writ of error was sued out principally on the ground that the principles of constitutional law were violated. The House of Lords finally quashed the error and confirmed the judgment. Meantime, the country, or a great portion of the people, took the last step in the direction of debasement, by praying the Queen and the Lord Lieutenant for a free pardon. The petitions were spurned; but her Majesty, yielding to the powerful sentiment of abhorrence against the punishment of death for political offences commuted the sentence into transportation for life. This final sentence was carried into effect on the 9th day of July, 1849, when the ship of war "Swift" spread her sails and hoisted her felon flag, bearing out to sea, and having on board the four illustrious exiles.

Martin and O'Doherty had been conveyed to Cork on board the Triton, on the 16th of June, whence they were sent to herd with common malefactors on board the Mount Stewart Elphinstone—at the time infested with the plague. This vessel remained off Spike Island while the cholera was doing its ravages among her passengers, and finally put to sea,

with the patriots and pestilence, a few days before the departure of the "Swift."

THE UNINSCRIBED TOMB OF EMMETT.

"Let my tomb remain uninscribed, and my memory in oblivion, until other times and other men can do justice to my character."

"Pray tell me," I said, to an old man who stray'd,
Drooping over the grave which his own hands had made,
"Pray tell me the name of the tenant who sleeps
'Neath yonder lone shade where the sad willow weeps;
Every stone is engrav'd with the name of the dead,
But yon black slab declares not whose spirit is fled."

In silence he bow'd, then beckon'd me nigh,
Till we stood o'er the grave—then he said with a sigh,
"Yes, they dare not to trace e'en a word on this stone,
To the memory of him who sleeps coldly alone;
He told them—commanded—the lines o'er his grave,
Should never be traced by the hand of a slave!

"He bade them to shade e'en his name in the gloom,
Till the morning of freedom should shine on his tomb,
'When the flag of my country at liberty flies,
Then—then let my name and my monument rise,'
You see they obey'd him—'tis thirty-three years,
And they still come to moisten his grave with their tears.

"He was young like yourself, and aspir'd to o'erthrow
The tyrants who fill'd his lov'd island with woe;
They crush'd his bold spirit—this earth was confin'd,
Too scant for the range of his luminous mind."
He paus'd, and the old man went slowly away,
And I felt, as he left me, an impulse to pray.

Grant, Heaven! I may see, ere my own days are done,
A monument rise o'er my country's lost son!
And oh! proudest task, be it mine to indite
The long-delay'd tribute a freeman must write;
'Till then shall its theme in my breast deeply dwell,
So peace to thy slumbers, dear shade, fare thee well.

OCT 30 1919

